

Atlantic mackerel limited access program in Amendment 10 to the FMP. NMFS informed the public of the Council's decision in a subsequent notice on June 9, 2005 (70 FR 33728).

Since then, the Council has been notified that it must develop a stock rebuilding program for butterfish as a result of that stock being designated as overfished. The Council was also informed that the stock rebuilding program for butterfish must be developed in an amendment to the FMP rather than in a framework adjustment as the Council had originally intended. Consequently, Amendment 10 will now include a plan to rebuild the overfished butterfish stock. The Council has concluded that Amendment 10 will require only an Environmental Assessment under the requirements of the National Environmental Policy Act (NEPA). As a result, the Council hereby notifies the public that the mackerel limited access program will now be developed in Amendment 11 to the FMP. Other than the sequencing of the amendments to this FMP and a slight time delay, the Council anticipates that the development of the limited access program for mackerel will proceed as described in previous notices to the public. The public will have the opportunity to comment on the measures and alternatives being considered by the Council for Amendment 11 through public meetings and public comment periods required by NEPA, the Magnuson-Stevens Fishery Conservation and Management Act, and the Administrative Procedure Act. This notification also reminds the public that interested participants should locate and preserve records that substantiate and verify their participation in the Atlantic mackerel fishery in Federal waters.

**Authority:** 16 U.S.C. 1801 *et. seq.*

Dated: December 13, 2005.

**Alan D. Risenhoover,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 05-24206 Filed 12-16-05; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 051014263-5330-02; I.D. 120805A]

RIN 0648-AU00

#### Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Specifications and Management Measures

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes a rule to implement revisions to the 2006 commercial and recreational groundfish fishery management measures for groundfish taken in the U.S. exclusive economic zone (EEZ) off the coasts of Washington, Oregon, and California. Proposed management measures that are new for 2006 are intended to: achieve but not exceed optimum yields (OYs); prevent overfishing; rebuild overfished species; and reduce and minimize the bycatch and discard of overfished and depleted stocks. NMFS additionally proposes to revise the 2006 darkblotched rockfish OY, at the request of the Pacific Fishery Management Council (Pacific Council), and under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). These actions, which are authorized by the Pacific Coast Groundfish Fishery Management Plan (FMP) and the Magnuson-Stevens Act, are intended allow fisheries to access more abundant groundfish stocks while protecting overfished and depleted stocks. Finally, NMFS announces with this **Federal Register** document that the coastwide lingcod stock is no longer considered overfished and is fully rebuilt.

**DATES:** Comments on this proposed rule will be accepted through January 15, 2006.

**ADDRESSES:** You may submit comments, identified by I.D. 120805A by any of the following methods:

- E-mail:

*GroundfishInseason6.nwr@noaa.gov.* Include the I.D. number 120805A in the subject line of the message.

- Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the instructions for submitting comments.

- Fax: 206-526-4646, Attn: Jamie Goen.

- Mail: D. Robert Lohn, Administrator, Northwest Region, NMFS, Attn: Jamie Goen, 7600 Sand Point Way NE, Seattle, WA 98115-0070.

**FOR FURTHER INFORMATION CONTACT:** Jamie Goen (Northwest Region, NMFS), phone: 206-526-6140; fax: 206-526-6736; and e-mail: *jamie.goen@noaa.gov.*

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

This **Federal Register** document is available on the Government Printing Office's website at: *www.gpoaccess.gov/fr/index.html.*

Background information and documents are available at the NMFS Northwest Region website at: *www.nwr.noaa.gov/1sustfsh/gdfsh01.htm* and at the Pacific Council's website at: *www.pcouncil.org.*

##### Background

The Pacific Coast Groundfish FMP and its implementing regulations at title 50 in the Code of Federal Regulations (CFR), part 660, subpart G, regulate fishing for over 80 species of groundfish off the coasts of Washington, Oregon, and California. Groundfish specifications and management measures are developed by the Pacific Council, and are implemented by NMFS. The specifications and management measures for 2005-2006 were codified in the CFR (50 CFR part 660, subpart G). They were published in the **Federal Register** as a proposed rule on September 21, 2004 (69 FR 56550), and as a final rule on December 23, 2004 (69 FR 77012). The final rule was subsequently amended on March 18, 2005 (70 FR 13118); March 30, 2005 (70 FR 16145); April 19, 2005 (70 FR 20304); May 3, 2005 (70 FR 22808); May 4, 2005 (70 FR 23040); May 5, 2005 (70 FR 23804); May 16, 2005 (70 FR 25789); May 19, 2005 (70 FR 28852); July 5, 2005 (70 FR 38596); August 22, 2005 (70 FR 48897); August 31, 2005 (70 FR 51682); October 5, 2005 (70 FR 58066); October 20, 2005 (70 FR 61063); October 24, 2005 (70 FR 61393); and November 1, 2005 (70 FR 65861).

Acceptable biological catches (ABCs) and OYs are established for each year. Management measures are established at the start of the biennial period, and are adjusted throughout the biennial management period, to keep harvest within the OYs. At the Pacific Council's October 31 - November 4, 2005, meeting in San Diego, CA, the Pacific Council's Groundfish Management Team (GMT) considered 2005 catch data and new West Coast Groundfish Observer

Program (WCGOP) data and made recommendations to adjust groundfish management measures for December 2005 and for all of 2006. Those adjustments were implemented via an inseason action (70 FR 72385, December 5, 2005). The management measures for the remainder of 2006 (March through December) are being implemented through this proposed rule.

The following changes to current groundfish management measures for March through December 2006 were recommended by the Pacific Council, in consultation with Pacific Coast Treaty Indian Tribes and the States of Washington, Oregon, and California, at its October 31–November 4, 2005, meeting in San Diego, CA. The changes recommended by the Pacific Council include: (1) adjustments to the limited entry fixed gear and open access sablefish daily trip limit (DTL) fishery north of 36° N. lat., (2) adjustments to limited entry trawl cumulative limits for sablefish, thornyheads, Dover sole, other flatfish, petrale sole, arrowtooth flounder, slope rockfish, splitnose rockfish, and lingcod, (3) adjustments to limited entry fixed gear and open access cumulative limits for shelf, shortbelly, and widow rockfish south of 34°27' N. lat. and minor nearshore and black rockfish between 42° N. lat. and 40°10' N. lat., (4) adjustments to the Rockfish Conservation Area (RCA) boundaries, (5) adjustments to Washington, Oregon and California's recreational groundfish fisheries, (6) establishment of limited entry trawl, limited entry fixed gear, and open access trip limits for Pacific cod and spiny dogfish, (7) adjustments to the tribal management measures for Pacific cod, spiny dogfish and thornyheads and (8) clarification of the non-groundfish trawl rockfish conservation area (RCA). Pacific Coast groundfish landings will be monitored throughout the year, and further adjustments to trip limits, RCAs, or management measures will be made as necessary to allow achievement of, or to avoid exceeding, OYs.

#### Limited Entry Trawl Fisheries

The trawl bycatch model was updated with bycatch and discard rates based on new WCGOP data from September 2004 through April 2005. This update also incorporated four months of data (January through April 2005) from when selective flatfish gear was required shoreward of the trawl RCA north of 40°10' N. lat. The GMT used the updated trawl bycatch model to analyze adjustments to trawl RCA boundaries and bimonthly limits for target species (sablefish, thornyheads, Dover sole, petrale sole, other flatfish, arrowtooth,

slope rockfish, and splitnose rockfish) for 2006. Management measures for March through December are being proposed in this rule.

The Pacific Council recommended adjustments to limited entry trawl cumulative limits for certain target species coastwide, such as sablefish, thornyheads, Dover sole, other flatfish, and arrowtooth flounder, based on projections from the trawl bycatch model. These adjustments for 2006 are projected to keep harvest within the OYs. NMFS concurs with this recommendation; and therefore, is proposing adjusted cumulative limits for these species during March through December 2006 are shown in Table 3 (North) and Table 3 (South). Adjustments to limited entry trawl cumulative limits for other target species are described in detail below.

#### Petrale Sole

In order to avoid exceeding the petrale sole ABC in 2006 and promote year round fishing opportunities, the Pacific Council recommended establishing cumulative limits in the bottom trawl fishery during Period 6 (November through December). In the past, petrale sole landings were not limited during this period. NMFS concurs with this recommendation; and therefore, is proposing that north of 40°10' N. lat., limited entry trawl large and small footrope limits would be 60,000 lb (27,216 kg) per 2 months during November and December. North of 40°10' N. lat., limited entry selective flatfish trawl limits would be 25,500 lb (11,567 kg) per 2 months during November and December. South of 40°10' N. lat., limited entry trawl limits would be 60,000 lb (27,216 kg) per 2 months during November and December.

In response to higher than anticipated catches of petrale sole in 2005, trawl RCA boundaries were adjusted inseason (70 FR 58066, October 5, 2005) to reduce the catch of petrale sole in Period 6. The implementation of petrale sole cumulative limits for Periods 1 and 6 of 2006 should prevent these higher than anticipated catches from reoccurring in 2006. Therefore, the Pacific Council recommended for 2006, to restore the position of the trawl RCA that was initially scheduled for Period 6 in 2005. NMFS concurs with this recommendation; and therefore, is proposing the position of the trawl RCA during Period 6 would be defined by coordinates approximating the following depth contours: (1) north of 40°10' N. lat., it extends between the 200–fm (366–m), modified to exclude certain petrale sole areas from the RCA,

and the 75–fm (137–m) depth contours; (2) between 40°10' N. lat. and 34°27' N. lat., it extends between the 150–fm (274–m) and the 75–fm (137–m) depth contours; and (3) south of 34°27' N. lat., it extends between the 150–fm (274–m) and the 75–fm (137–m) depth contours along the mainland coast and between the 150–fm (274–m) depth contour and the shoreline around islands.

#### Slope and Splitnose Rockfish Limits Between 40°10' N. lat. and 38° N. lat.

At the most recent Pacific Council meeting, the GMT considered a request to liberalize management measures for minor slope and splitnose rockfish in 2006. The harvest of these species has been constrained in recent years because they co-occur with darkblotched rockfish, an overfished rockfish species.

Darkblotched rockfish are not distributed uniformly along the coast but instead are most concentrated in waters off Washington and northern Oregon, with a gradient of decreasing density extending south. Only about three percent of the NMFS triennial bottom trawl survey's cumulative catch-per-unit-effort of darkblotched rockfish occurs south of 38° N. lat. This observation of decreased density led to implementation of a management line at 38° N. lat. that allows slope management south of 38° N. lat. to be separated from management actions needed to rebuild darkblotched, and allows the severity of management measures between 40°10' N. lat. and 38° N. lat. to be intermediate to those for areas south of 38° N. lat. and north of 40°10' N. lat.

Darkblotched rockfish bycatch rates between 40°10' N. lat. and 38° N. lat. at depths greater than 150–fm (274–m) are considerably lower than those for the same depth range north of 40°10' N. lat. When bycatch rates for darkblotched rockfish between 40°10' N. lat. and 38° N. lat. are compared to bycatch rates from depths greater than 200 fm (366 m) north of 40°10' N. lat., the rates are similar. Given this information, the GMT does not recommend greatly increasing slope and splitnose rockfish cumulative limits as well as implementing a shallower trawl RCA, such as the trawl RCA that is in place south of 38° N. lat., in the area between 40°10' N. lat. and 38° N. lat. Cumulative slope and splitnose rockfish limits on the order of 20,000 lb (9,072 kg) per 2 months could likely be allowed if the seaward trawl RCA boundary approximated the 200–fm (366–m) depth contour. However, availability of slope and splitnose rockfish species is limited at depths greater than 200–fm

(366-m). Alternatively, slope and splitnose rockfish cumulative limits of 8,000 lb (3,628 kg) per 2 months could be used in conjunction with a seaward trawl RCA boundary approximating the 150-fm (274-m) depth contour. The Pacific Council continues to recommend management measures for this area that are intermediate in severity to those used in the areas north of 40°10' N. lat. and south of 38° N. lat. After feedback from the Pacific Council's Groundfish Advisory Panel and the trawl industry, the Pacific Council recommended minor adjustments to cumulative limits and the position of the trawl RCA.

NMFS concurs with this recommendation. Therefore, slope and splitnose rockfish cumulative limits are proposed to be increased from 4,000 (1,814 kg) per 2 months to 8,000 lb (3,628 kg) per 2 months and the seaward trawl RCA boundary would approximate the 150-fm (274-m) depth contour, rather than the 200-fm (366-m) depth contour for the area between 40°10' N. lat. and 38° N. lat. for 2006. This regulatory change is expected to allow trawl fisheries in this area to access more abundant slope rockfish species while still maintaining a low incidental catch of darkblotched rockfish.

### Lingcod

Lingcod has rebuilt quickly in recent years and is being caught in greater numbers in a range of fisheries coastwide. WCGOP data shows that there is considerable discard of lingcod in the limited entry bottom trawl fishery and suggests that allowing increased retention of lingcod may reduce discard. In 2005, north of 40°10' N. lat., the lingcod selective flatfish trawl limit was 800 lb (363 kg) per 2 months for January through April and September through December, while it was 1,000 lb (454 kg) per 2 months for May through July. The lingcod large and small footrope limits for 2005 were 500 lb (227 kg) per 2 months. South of 40°10' N. lat., the lingcod small footrope limit was 800 lb (363 kg) per 2 months for January through April and September through December, and was 1,000 lb (454 kg) per 2 months for May through July. The lingcod midwater limit south of 40°10' N. lat. was 500 lb (227 kg) per 2 months. In 2005, the lingcod large footrope limits were the same north and south of 40°10' N. lat. While a substantial increase in lingcod cumulative limits may encourage targeting of lingcod and allow additional bycatch of overfished species (which tend to reside in areas of similar rocky habitat), the Pacific Council believed that a modest increase in

lingcod retention could be allowed without negatively affecting lingcod or co-occurring overfished species. In 2004 and 2005, lingcod harvest has been well under its rebuilding OY (by more than 100 mt) and these cumulative limit increases are not projected to affect total lingcod mortality but instead change lingcod discard into landings.

Therefore, the Pacific Council recommended that lingcod cumulative limits in the limited entry trawl fishery be increased to 1,200 lb (544 kg) per 2 months coastwide for all gear types. NMFS concurs with this recommendation and proposes to implement this adjustment.

### Canary Rockfish

Based on landings of canary rockfish in the 2005 fishery and discard rate estimates from the WCGOP, the mortality of canary rockfish in the limited entry bottom trawl fishery is higher than originally predicted for the year. In order to reduce mortality of canary rockfish in the 2006 fishery, the GMT modeled options expanding the size of the trawl RCA north of 40°10' N. lat. by moving the shoreward boundary from approximating the 100-fm (183-m) depth contour to approximating the 75-fm (137-m) depth contour during Periods 2, 3, and 5. This expansion should reduce the catch of canary rockfish catch shoreward of the trawl RCA in areas north of 40°10' N. lat.

By applying the discard rates from the WCGOP inseason, it was estimated that the limited entry trawl fishery had caught 9.5 mt of canary rockfish by the end of September 2005. The position of the trawl RCA (extending between the 250-fm (457-m) depth contour to the shoreline) from October 1 - December 31, 2005, is anticipated to effectively keep canary total catch at 9.5 mt through the end of 2005. Using the revised bycatch rates from the WCGOP, including data through April 2005, the proposed limited entry trawl trip limits for 2006 would result in an estimated canary rockfish impact of 7.3 mt. When these revised bycatch rates are used in conjunction with 2005 management measures, the bycatch model is able to closely approximate the amount of canary rockfish estimated to be taken during 2005. However, the updated model does not include new bycatch data beyond Period 2 in 2005 and the Pacific Council and NMFS are still concerned with the degree of uncertainty in projections of the catch of overfished species with selective flatfish trawl gear. Groundfish fisheries will continue to be monitored in 2006 and further inseason adjustments may be necessary.

Therefore, the Pacific Council recommended and NMFS is proposing a trawl RCA that extends between specific latitude and longitude coordinates approximating the 200-fm (366-m) depth contour to coordinates approximating the 75-fm (137-m) depth contour for Periods 2, 3, and 5 north of 40°10' N. lat. During Period 4, in the area north of 40°10' N. lat., the trawl RCA would extend between coordinates approximating the 200-fm (366-m) depth contour and the 100-fm (183-m) depth contour as was previously scheduled.

### *Limited Entry Fixed Gear and Open Access Fisheries Sablefish Limits North of 36° N. lat.*

In recent years, the sablefish daily trip limit (DTL) fishery north of 36° N. lat. has caught substantially less than its allocation. Therefore, the GMT believes that some liberalization of sablefish DTL cumulative limits is warranted. In 2005, the sablefish limited entry and open access DTL limits for January through September were 300 lb (136 kg) per day, or 1 landing per week up to 900 lb (408 kg), not to exceed 3,600 lb (1,633 kg) per 2 months. These sablefish DTL cumulative limits were increased for October through December to 500 lb (227 kg) per day, or 1 landing per week up to 1,500 lb (680 kg), not to exceed 9,000 lb (4,082 kg) per 2 months. The GMT is concerned with the lack of effort controls in this fishery and recommended a cautious approach to increasing its cumulative sablefish limits. The Pacific Council considered two options for increasing sablefish DTL limits. The first option maintained the previously scheduled daily limit of 300 lb (136 kg) per day, increased the weekly limit to 1,000 lb (454 kg), and increased the two month limit to 5,000 lb (2,268 kg). The second option increased the daily limit to 400 lb (181 kg), increased the weekly limit to 1,200 lb (544 kg), and increased the 2-month limit to 4,800 lb (2,177 kg). Because radical changes in effort for this fishery have historically been driven by changes in the daily and weekly limit, there is a greater risk of needing to restrict the fishery later in the year associated with the second option. Total catch in the sablefish DTL fishery can be managed under either option, but restricting the fishery later in the year may result in an inequitable distribution of catch and revenues because this fishery starts earlier in southern areas than in northern areas.

Therefore, the Pacific Council recommended and NMFS is proposing sablefish limited entry fixed gear and open access cumulative limits of 300 lb

(136 kg) per day, or 1 landing per week up to 1,000 lb (454 kg), not to exceed 5,000 lb (2,268 kg) per 2 months for the area north of 36° N. lat.

*Shelf, Shortbelly, and Widow Rockfish South of 34°27' N. lat.*

At its most recent meeting, the Pacific Council also considered a request to increase shelf rockfish, shortbelly, and widow rockfish cumulative limits from 2,000 lb (907 kg) per 2 months to 3,000 lb (1,361 kg) per 2 months for limited entry fixed gear and from 500 lb (227 kg) per 2 months to 750 lb (340 kg) per 2 months for open access fixed gear. In 2005, these cumulative limit increases were implemented inseason for July through December. After reviewing the GMT's analysis of landings during 2005, the Pacific Council determined that the requested increase could be accommodated in 2006.

Therefore, the Pacific Council recommended and NMFS is proposing a shelf, shortbelly, and widow rockfish limited entry cumulative limit of 3,000 lb (1,361 kg) per 2 months and an open access cumulative limit of 750 lb (340 kg) per 2 months for the area south of 34°27' N. lat.

*Minor Nearshore and Black Rockfish between 40°10' N. lat. and 42° N. lat.*

In 2005, the minor nearshore and black rockfish limited entry fixed gear and open access limits were increased inseason from 5,000 lb (2,268 kg) per 2 months, no more than 1,200 lb (544 kg) of which may be species other than black or blue rockfish, to 6,000 lb (2,722 kg) per 2 months, no more than 1,200 lb (544 kg) of which may be species other than black or blue rockfish, for July through December. As with the previously discussed adjustments to cumulative limits, the Pacific Council received a request to continue these 2005 inseason adjustments into 2006. A review of 2005 PacFIN data revealed no higher than anticipated catch of black rockfish, particularly with respect to black rockfish state harvest guidelines and commercial/recreational catch sharing.

Therefore, the Pacific Council recommended and NMFS is proposing the minor nearshore and black rockfish limited entry fixed gear and open access cumulative limit of 6,000 lb (2,722 kg) per 2 months, no more than 1,200 lb (544 kg) of which may be species other than black or blue rockfish.

*Establish Trip Limits for Pacific Cod and Spiny Dogfish*

Recent harvest levels and the potential for new markets developing off the West Coast has highlighted the

potential need for further management measures, such as trip limits, to control harvest of Pacific cod and spiny dogfish in 2006.

Both of these stocks have harvest specifications (also known as acceptable biological catch (ABC) and OY) set for 2005 and 2006. Pacific cod has its own ABC/OY north of 43° N. lat. and Pacific cod (south of 43° N. lat. only) and spiny dogfish are included in the "other fish" ABC/OY.

The ABC levels for Pacific cod and "other fish" have been based on historical landings. When determining numerical OYs for individual species and species groups for which the ABC is based on a non-quantitative assessment, the Pacific Council may apply precautionary adjustments. Since 2000, the Pacific Council has adjusted the OYs for several unassessed stocks to 50 percent of the historical average catch levels. Although the ABCs for Pacific cod and "other fish" have been based on historical landings, precautionary adjustments were not used to establish OYs until the 2005–2006 biennial management cycle.

Neither Pacific cod nor spiny dogfish has ever been formally assessed on the West Coast. A formal stock assessment for West Coast spiny dogfish is recommended for the next assessment cycle (2007). Even in the absence of a formal assessment, life history information indicates that characteristics of the spiny dogfish (slow growing, late maturing, low fecundity) make it susceptible to overfishing. Dogfish populations have been depressed as a result of fishing in areas of Puget Sound and have been declared overfished off the U.S. East Coast. Pacific cod, on the other hand, is a transboundary stock with most of its biomass distributed north of the U.S.-Canada border. Pacific cod stocks are depressed off the West Coast of Canada.

In recent years, commercial fishermen targeting spiny dogfish have been constrained by their assumed bycatch of yelloweye and canary rockfish, two species which have been declared overfished, and are managed under rebuilding plans. To provide protection for these overfished stocks, NMFS implemented RCAs, which are large areas closed to fishing with designated gear types. While there are limited entry programs in place for trawl and fixed gear, there is also an open access fishery, which is allowed to target groundfish with fixed gear. Since effort is not limited, the fishery has a potential to overharvest spiny dogfish and Pacific cod and/or exceed the projected bycatch associated with the fisheries inseason, even with the RCAs in place. To address

the potential of exceeding the estimated amounts of canary and yelloweye rockfish bycatch, which was anticipated for the open access fishery in 2005, the NMFS adopted an emergency rule to set bycatch limits for the directed groundfish open access fishery. These limits were originally set at 1.0 mt for canary rockfish and 0.6 mt for yelloweye rockfish; these limits were raised inseason to 3.0 mt of each species, based on updated projections using WCGOP data.

Based on the life history characteristics of spiny dogfish, their status in other areas, and the lack of effort control in this fishery, the Council recommended that NMFS adopt harvest control regulations (i.e., trip limits), beginning in 2006. Given that a spiny dogfish assessment is likely to occur in 2007, the Council decided to set a separate ABC and OY for spiny dogfish following the next assessment cycle (i.e., for the 2009–2010 management period).

Neither stock has had management measures, such as trip limits, specified in the past. This is a potential management concern given the conservation issues of these stocks and, for Pacific cod, 2004 harvests that approached the 2005 OY. Under the Pacific Coast Groundfish FMP at 6.2.1, new routine management measures must be established through a full rulemaking process (proposed and final rule). This action follows the Pacific Coast Groundfish FMP's guidance at 6.2.1 for spiny dogfish and Pacific cod.

In order to develop trip limits for spiny dogfish and Pacific cod, the GMT did trip frequency analyses for both species using fish ticket data from the 2000–2004 fisheries. The trip limits recommended by the Pacific Council were developed to generally accommodate current harvest levels on a two-month cumulative basis. It is anticipated that, if participation in the groundfish fishery remains at the current level, these trip limits would keep total fishing mortality during each year within the ABC/OY established for that year.

In addition, the Makah Tribe has requested a harvest guideline for Pacific cod of 350–400 mt to accommodate the tribal fisheries. While the Makah Tribe requested and the Pacific Council recommended a range of 350–400 mt to be set aside from the Pacific cod OY, NMFS will implement the more conservative end of the Pacific Council's request for the tribes, 400 mt. Tribal harvest of Pacific cod was 254 mt in 2003 and 350 mt in 2004, which is a substantial portion of the harvest off the northern Washington coast. Currently,

this tribal harvest is accounted for in the overall OY, which is shared by tribal and non-tribal fisheries. As proposed, the tribal harvest guideline would be subtracted from the overall OY, and would reduce the amount of the commercial harvest guideline that is available for non-tribal fisheries. The proposed trip limits for the non-tribal fisheries may need to be adjusted inseason to stay within the non-tribal portion of the OY.

In 2005, concerns over unanticipated participants in the open access fisheries, and the estimated amounts of targeted species harvest and potential bycatch of overfished rockfish, were addressed through bycatch limits for canary and yelloweye rockfish that were established for the open access sector through emergency rule (70 FR 23804, May 5, 2005; revised at 70 FR 38596, July 5, 2005; renewed at 70 FR 65861, November 1, 2005) and were extended through May 1, 2006. If trip limits for spiny dogfish and Pacific cod are implemented for March through December 2006, the Pacific Council recommended that the bycatch limits for canary and yelloweye rockfish for the open access sector not be extended into 2006. Thus, if this rule is implemented, NMFS proposes to remove the bycatch limits with implementation of a final rule for this action.

Therefore, the Pacific Council recommended and NMFS is proposing a tribal harvest guideline of 400 mt of the 2006 Pacific cod OY, removal of open access bycatch caps, designating trip limits as routine for spiny dogfish and Pacific cod at § 660.370(c), and establishing trip limits for Pacific cod and spiny dogfish as follows: (1) Limited entry trawl trip limits for Pacific cod coastwide will be 30,000 lb (13,608 kg) per 2 months in Periods 2 (March-April) and 6 (November-December) and 70,000 lb (31,752 kg) per 2 months in Periods 3 through 5 (May-October); (2) Limited entry fixed gear and open access trip limits coastwide for Pacific cod will be 1,000 lb (454 kg) per 2 months in Periods 2 through 6; (3) Limited entry trawl, limited entry fixed gear and open access trip limits for spiny dogfish coastwide will be 200,000 lb (90,719 kg) per 2 months in Period 2, 150,000 lb (68,039 kg) per 2 months in Period 3 (May-June), and 100,000 lb (45,359 kg) per 2 months in Periods 4–6 (July-December).

At the November Pacific Council meeting, the Pacific Council also recommended and NMFS is proposing that the tribes manage tribal dogfish fisheries within the non-tribal dogfish trip limits.

### Tribal Commercial Fisheries

The Makah Tribe is planning a bottom trawl fishery targeting Dover sole, longspine thornyheads, shortspine thornyheads, and sablefish (DTS) for 2006. In order to prosecute a DTS fishery, the tribes would need a modification of their current management regime. Rather than fish under the current 300 lb (136 kg) per trip limit of combined thornyhead species, the Makah Tribe proposes to operate under the limited entry trawl trip limits for both shortspine and longspine thornyheads. The Pacific Council agreed with this proposal.

Therefore, in addition to the tribal harvest guideline of 400 mt being proposed for Pacific cod and the tribal fisheries for spiny dogfish operating under trip limits as mentioned above in the preamble, the Pacific Council recommended and NMFS is proposing to allow the tribes to operate under the limited entry trawl trip limits for both shortspine and longspine thornyheads.

### RCAs

This rule also proposes revisions to specific latitude and longitude coordinates that comprise RCA boundaries. In general, these revisions correct mistakes such as the transposition of latitude and longitude coordinates, single coordinates that are either incorrect or missing, and single coordinates that deviate from the depth contour. Affected RCA boundaries are the 30–fm (55–m) and 60–fm (110–m) boundaries around the northern Channel Islands and the coastwide 150–fm (274–m) boundary.

### Non-Groundfish Trawl RCA

The non-groundfish trawl RCA has, in the past, generally followed the same RCA boundary lines as the limited entry trawl RCA. Therefore, when referring generally to the “trawl RCA,” it has meant both limited entry trawl and non-groundfish trawl. However, RCA boundaries for these two sectors, limited entry trawl and non-groundfish trawl, may differ. The trip limit tables for these sectors, Tables 3 and 5, differentiate the trawl RCAs by calling those in Table 5 (open access trip limit table), non-groundfish trawl RCA. However, in Section 660.383 of the regulations, open access fishery management measures, the general term “trawl RCA” is used.

Therefore, in order to be more clear, NMFS proposes to replace the term “trawl RCA” in Section 660.383 with the term “non-groundfish trawl RCA.”

### Washington's Recreational Groundfish Fishery

The Washington Department of Fish and Wildlife (WDFW) took inseason action in August 2005 to close the Washington recreational bottomfish fisheries seaward of the recreational RCA, a line approximating the 30–fm (55–m) depth contour north of Leadbetter Pt., WA (46°38.17' N. lat.), since the canary and yelloweye rockfish catches were approaching the state's recreational harvest targets for those species. NMFS took conforming action through the inseason action published in the **Federal Register** on October 5, 2005 (70 FR 58066). Because the state recreational harvest targets are annual targets that are used to stay within joint WA/OR annual harvest guidelines, the Pacific Council recommended that the prohibition on fishing seaward of a boundary line approximating the 30–fm (55–m) depth contour be removed for the 2006 Washington recreational fishery, beginning January 1, 2006, but remain available as an option for inseason action in 2006 should the canary or yelloweye rockfish harvest target be approached.

Therefore, the Pacific Council recommended and NMFS proposes removing the prohibition on fishing seaward of the 30–fm (55–m) boundary line between the U.S./Canada border and 46°38.17' N. lat. (Leadbetter Point, WA) and maintaining the availability of that boundary for inseason management in 2006.

### Oregon's Recreational Groundfish Fishery

In addition to other bag limit reductions in 2005, the Oregon Department of Fish and Wildlife (ODFW) took inseason action in July 2005 to reduce the daily recreational marine fish bag limit from 8 fish to 5 fish to slow the harvest of black rockfish. ODFW took additional action in August 2005 to prohibit retention of cabezon in the recreational ocean boat fishery, due to attainment of the annual state harvest guideline for cabezon. NMFS took conforming action on both of these items through the inseason action published in the **Federal Register** on October 5, 2005 (70 FR 58066). The Federal and state harvest guidelines are set on an annual basis, and the inseason actions taken in 2005 were in response to attainment of harvest guidelines set for the 2005 fishing year. The Pacific Council recommended that the recreational bag limit regulations that were in place in January 2005 be implemented in January 2006 to allow fisheries access to available harvest. In

March 2005, NMFS published an inseason action (70 FR 16145, March 30, 2005) which, in part, revised the Federal marine fish species list for Oregon to match the list used in Oregon state regulation. Therefore, in addition to the wording in the January 2005 regulations, NMFS will include the revised species list in the 2006 Oregon recreational language. ODFW anticipates requesting Federal inseason action on their recreational regulations in March 2006, pending Oregon Department of Fish and Wildlife Commission approval of regulations governing the 2006 recreational fishery.

Therefore, the Pacific Council recommended and NMFS is proposing recreational groundfish fishery regulations off of Oregon as they read at the beginning of 2005, with the exception that NMFS is maintaining the revised species list as published in the **Federal Register** on March 30, 2005 (70 FR 16145) so that it is clear that Oregon's marine fish bag limit also excludes salmonids, hybrid bass, and offshore pelagic species.

#### **California's Recreational Groundfish Fishery**

The Pacific Council recommended a change in the recreational RCAs south of 34°27' N. lat. for 2006 from a closed shoreward of a boundary line approximating the 30-fm (55-m) depth contour and a closed seaward of a boundary line approximating the 60-fm (110-m) depth contour (i.e., open between the 30-fm (55-m) and 60-fm (110-m) boundary lines) to closed either seaward of a boundary line approximating the 30-fm (55-m) depth contour or closed seaward of a boundary line approximating the 60-fm (110-m) depth contour, depending on the season. This change is expected to alleviate confusion among recreational anglers on what depths are closed to fishing and provide for a more enforceable depth restriction. The California Department of Fish and Game conducted an impact analysis using projected catch estimates for 2006 (based on 2004 California Recreational Fisheries Survey estimates). The analysis indicated that this change will not significantly increase groundfish catches in this area during this time period and will keep the harvest within the current harvest targets.

In addition, management measures for recreational fisheries off California in December 2006 are adjusted to conform Federal and state regulations for the recreational RCA between 40°10' N. lat. and 36° N. lat. At the Pacific Council's April 2005 meeting, the Pacific Council recommended, in part, that the

recreational RCA prohibit fishing seaward of the 20-fm (37-m) depth contour for July through December. NMFS inadvertently missed this recommendation as it applied to December in the May inseason action (70 FR 23040, May 4, 2005) and, therefore, Federal regulations implemented a recreational RCA extending between the shoreline and the EEZ during December.

Therefore, the Pacific Council recommended and NMFS is proposing 2006 California recreational groundfish fishery RCA regulations as follows:

(1) Between 40°10' N. lat. and 36° N. lat., recreational fishing for all groundfish (except "other flatfish") is prohibited seaward of the 20-fm (37-m) depth contour along the mainland coast and along islands and offshore seamounts from July 1 through December 31; and is closed entirely from January 1 through June 30 (i.e., prohibited seaward of the shoreline).

(2) South of 34°27.00' N. latitude, recreational fishing for all groundfish (except California scorpionfish and "other flatfish") is prohibited seaward of a boundary line approximating the 60-fm (110-m) depth contour from March 1 through August 30 and November 1 through December 31 along the mainland coast and along islands and offshore seamounts; recreational fishing is also prohibited seaward of a boundary line approximating the 30-fm (55-m) depth contour from September 1 through October 31; except in the CCAs where fishing is prohibited seaward of the 20-fm (37-m) depth contour when the fishing season is open. Recreational fishing for all groundfish (except "other flatfish") is closed entirely from January 1 through February 28 (i.e., prohibited seaward of the shoreline). Recreational fishing for California scorpionfish south of 34°27.00' N. latitude is prohibited seaward of a boundary line approximating the 30-fm (55-m) depth contour from October 1 through October 31, and seaward of the 60-fm (110-m) depth contour from November 1 through December 31, except in the CCAs where fishing is prohibited seaward of the 20-fm (37-m) depth contour when the fishing season is open. Recreational fishing for California scorpionfish south of 34°27.00' N. latitude is closed entirely from January 1 through September 30 (i.e., prohibited seaward of the shoreline).

#### **Reduction to the 2006 Darkblotched Rockfish OY**

In August 2005, the agency received a Court of Appeals ruling in *Natural Resources Defense Council v. National Marine Fisheries Service*, 421 F.3d 872

(9th Cir. 2005). The Court of Appeals reversed an earlier District Court's holding that the Agency had not violated the Magnuson-Stevens Act in setting its 2002 harvest specifications for darkblotched rockfish. The Court of Appeals also remanded the case to the District Court for any further proceedings.

At this November 2005 meeting, the Pacific Council began consideration of the groundfish harvest specifications and management measures for 2007–2008. The Council is next scheduled to address this issue in April 2006, with final adoption in June 2006. NMFS will then publish the Council's recommendations for the 2007–2008 harvest specifications and management measures in the **Federal Register** for public notice and comment. The agency expects to implement the 2007–2008 groundfish specifications and management measures by January 1, 2007. When considering both the Court of Appeals ruling and its own schedule for developing 2007–2008 harvest specifications and management measures, the Council recommended interim measures to address darkblotched rockfish rebuilding in 2006 and a process for revising all of the overfished species rebuilding plans for 2007 and beyond.

For darkblotched rockfish in 2006, the Council asked its GMT to analyze the expected effects on darkblotched rockfish of reducing the previously adopted 2006 OY of 294 mt, using the conclusions of the 2005 darkblotched stock assessment, the best available science. (A draft assessment document was reviewed in May 2005 by a Council-sponsored Stock Assessment Review (STAR) Panel, which included two independent reviewers from the Center for Independent Experts. Following changes to the model and document based on the STAR Panel review, the assessment was reviewed by the Council's Scientific and Statistical Committee, which recommended the assessment to the Council at its September 2005 meeting. At the same meeting, the Council approved the assessment.) In order to illustrate the effects of different OYs on darkblotched rebuilding, the GMT analyzed a variety of potential 2006 OYs ranging from 0–696 mt. The GMT estimated that with a darkblotched OY of zero, the stock would be rebuilt by June 2009; with an OY of 200 mt, the stock would be rebuilt by March 2010; and with the OY based on the current harvest rate (OY of 269 mt in 2005 and 294 mt in 2006), the stock would be rebuilt by June 2010.

Darkblotched rockfish harvest in 2005 was much lower than the available OY

due to management measures intended to protect canary rockfish, which can co-occur with darkblotched at some depths and in some areas. The GMT analysis of a 2006 OY level of 200 mt is based on the projected estimates of darkblotched rockfish assuming a continuation of the currently planned management measures, which are intended to constrain the total catch of all overfished species. At a 2006 darkblotched rockfish OY of 200 mt, the stock is expected to rebuild to the MSY level by March 2010. An OY of 200 mt is not expected to noticeably alter the economic impacts of the 2005–2006 harvest specifications and management measures on the public, since darkblotched rockfish harvest is projected to already be constrained at this level by measures intended to protect canary rockfish.

This action proposes using Magnuson-Stevens Act authority at Section 305(c)(2)(B) to implement an interim measure to reduce the 2006 darkblotched rockfish OY from 294 mt to 200 mt. The Pacific Council recommended this reduction in consideration of the recent 9th Circuit Court of Appeals decision in *Natural Resources Defense Council v. NMFS*, 421 F.3d 872 (9th Cir. 2005). In response to that decision, the Pacific Council is developing Amendment 16–4 to revise all rebuilding time periods to be “as short as possible,” while taking into account the status and biology of the overfished stocks, the needs of the fishing communities, and the interaction of the overfished stocks within the marine ecosystem.

For 2006, the Pacific Council recommended establishing the darkblotched OY at 200 mt, which is based on the most recent information to derive projections of 2006 catch of darkblotched (192 mt), assuming the current restrictive management measures remain in place. Of the 200 mt, 5.2 mt are anticipated to be taken during research activity, leaving 194.8 mt available to the commercial fishery. This revised OY would minimize the potential that the actual harvest in 2006 could exceed the amount that is currently estimated to be harvested under on the current management regime. In making this recommendation, the Council rejected a harvest rate of zero (and corresponding OY of zero) because it would ignore entirely the needs of fishing communities and would have devastating economic impacts while at the same time reducing by less than one year the time to rebuild the stock, relative to an OY of 200 mt.

NMFS agrees with the recommendation of the Pacific Council.

It represents a good faith interim step to maintain, during the development and implementation for 2007 of a revised rebuilding period and associated measures, the darkblotched rockfish mortality at current levels without increasing the economic impacts on the already heavily restricted fishery. NMFS proposes to implement the reduction via this proposed rule in order to give the public the opportunity to comment on the reduction before it is promulgated as a final rule. On December 2, 2005, District Judge Breyer ordered that: this proposed rule be filed by December 15, 2005; the comment period shall run through January 15, 2006; and the final rule shall be filed no later than February 15, 2006. NMFS would intend for the reduction in the 2006 darkblotched rockfish OY to be in effect for all of 2006, once implemented.

For 2007 and beyond, the Council adopted a revised schedule for developing the 2007–2008 groundfish harvest specifications and management measures that includes revisions to all of the overfished species rebuilding plans. While developing the 2007–2008 groundfish specifications and management measures, the Council intends to develop Amendment 16–4 to the FMP. Amendment 16–4 would revise all of the rebuilding plans in the FMP using the Court of Appeals guidance to set target dates for rebuilding plans and associated allowable harvest levels for overfished species.

#### Lingcod Rebuilt

At its October 31 – November 4 meeting, the Council adopted the 2005 groundfish stock assessments that will be used to derive the 2007–2008 harvest specifications and management measures. Council adoption of stock assessments follows the detailed Stock Assessment Review panel (STAR) process, which culminates in Scientific and Statistical Committee (SSC) review of the stock assessments and STAR panel reviews of those assessments. The SSC makes recommendations to the Council on the appropriateness of using the different stock assessments for management, after which the Council considers whether to adopt those stock assessments.

Lingcod was initially declared overfished in 1999 (64 FR 49092, September 10, 1999.) The 2005 lingcod stock assessment estimates that the coastwide lingcod stock in 2005 is at 64 percent of its unfished biomass level, with the northern component of the stock (north of Cape Mendocino, CA) at 87 percent of its unfished biomass level and the southern component of the

stock at 27 percent of its unfished biomass level. Because lingcod is managed as a single coastwide stock, the stock is considered to be rebuilt above the MSY level, which the FMP sets as 40 percent of a stock's unfished biomass. The SSC endorsed the 2005 lingcod stock assessment as the best available science, and the Council adopted the assessment for use in 2007–2008 management.

Based on the recommendations of the SSC and the Council, this **Federal Register** document announces that NMFS considers the lingcod stock off the U.S. West Coast to be rebuilt. Because the 2006 lingcod harvest levels were set through a biennial management process based on a 2003 stock assessment, lingcod harvest in 2006 will continue to be constrained by the lingcod rebuilding plan. As the Council develops Amendment 16–4 to the FMP, it plans to consider removing the lingcod rebuilding plan from the FMP.

#### Classification

NMFS has determined that the proposed rule is consistent with the FMP and has preliminarily determined that the rule is consistent with the Magnuson-Stevens Act and other applicable laws and is based on the most recent data available. The aggregate data upon which these actions are based are available for public inspection at the Office of the Administrator, Northwest Region, NMFS, (see **ADDRESSES**) during business hours. This action contains a variety of proposed revisions to management measures and harvest specifications. With respect to the Regulatory Flexibility Act (RFA), all of the revisions proposed in this action, except trip limits for Pacific cod and spiny dogfish, are within the scope of the analysis conducted for the proposed and final rules to implement the 2005–2006 groundfish harvest specifications and management measures. The Initial Regulatory Flexibility Analysis (IRFA) for the 2005–2006 specifications and management measures was summarized in the preamble to the proposed rule published on September 21, 2004 (69 FR 56550,) at pages 56572–56573, and concluded that the then proposed action would have intermediary effects between the different specifications and management measures alternatives considered. The Final Regulatory Flexibility Analysis was summarized in the final rule published on December 23, 2004 (69 FR 77012,) at pages 77025–77026, and confirmed the conclusions of the IRFA with regard to the effects of the action on small entities. A copy of



this analysis is available from the Council (see **ADDRESSES**).

For the management measures that are new for 2006, trip limits for spiny dogfish and Pacific cod, NMFS prepared an IRFA as required by section 603 of the RFA. The IRFA describes the economic impact this proposed rule, if adopted, would have on small entities. A description of the action, why it is being considered, and the legal basis for this action are contained in the preamble. A copy of this analysis is available from NMFS (see **ADDRESSES**). A summary of the analysis follows.

The Pacific coast groundfish fisheries, which include fisheries for spiny dogfish and Pacific cod, are covered by the Pacific Coast Groundfish FMP and developed by the Pacific Council in collaboration with the NMFS. The proposed rule would establish management measures to constrain total fishing mortality to within harvest specifications for spiny dogfish and Pacific cod, and co-occurring species. These management measures will be established for the calendar year 2006, although they are considered within the context of past management and long-term sustainability of managed fish stocks. Separate harvest specifications (ABC/OY) have already been established for each year, 2005 and 2006; management measures are intended to keep total fishing mortality during each year within the ABC/OY established for that year.

The management measures in this proposed rule would constrain commercial harvests in 2006 to levels that will ensure the spiny dogfish and Pacific cod stocks, and co-occurring species, are maintained at, or restored to, sizes and structures that will produce the highest net benefit to the nation, while balancing environmental and social values. Currently, there are no specific effort controls on the Pacific cod and dogfish fisheries. Although there is a limited entry program for Pacific Coast groundfish, there is also an open access fishery and neither of these fisheries has specific trip limits. In response to a potential increase in effort and capacity from new entrants in the open access portion of the fishery, NMFS implemented an emergency rule in 2005. This rule set bycatch limits in the directed open access groundfish fishery, which includes spiny dogfish and Pacific cod (70 FR 23804, May 5, 2005; revised at 70 FR 38596, July 5, 2005; renewed at 70 FR 65861, November 1, 2005). These limits were set to specifically assure that an increase in effort in the spiny dogfish fishery would not lead to overfishing on canary and yelloweye rockfish and thus lead to

potential closures of economically important commercial and recreational groundfish fisheries off the West Coast. As described in the Environmental Assessment/Regulatory Impact Review/IRFA, there is not only a concern about the bycatch of overfished species, but also about the spiny dogfish and Pacific cod resources as well. Neither of these resources has been formally assessed, while neighboring stocks are depressed (i.e., Puget sound spiny dogfish and Canadian Pacific cod). The management measures in this proposed rule will ensure spiny dogfish and Pacific cod are harvested within ABC/OY limits during 2006 and in a manner consistent with the Groundfish FMP and National Standards Guidelines (50 CFR 600 Subpart D), using routine management tools available to the specifications and management measures process (FMP at 6.2.1, 50 CFR 660.370(c)).

The economic impact of these management measures for Pacific cod and spiny dogfish will be shared among groundfish buyers and commercial harvesters. It is estimated there are about 730 groundfish buyers and 1,700 commercial vessels coastwide that may be affected by these actions. Most of these entities would likely qualify as small businesses under the Small Business Administration's criteria, with the exception of fewer than 5 buyers/processors. The proposed action would affect commercial fisheries primarily off the coasts of Washington and Oregon.

The alternatives analyzed for this action ranged from Alternative 1, status quo or unlimited trip limits for spiny dogfish and Pacific cod, to Alternative 3, the most conservative or constraining trip limits. Alternatives 2 and 2a are intermediate trip limit levels. The preferred alternatives, proposed via this action are Alternative 2 for Pacific cod and Alternative 2a for spiny dogfish. Alternatives 2, 2a and 3 vary only slightly in their trip limit levels and were structured to maintain current participation in the fishery without encouraging new participation. The alternatives accommodate most of the recent harvest levels in the fishery, with Alternative 3 being slightly constraining to some vessels.

Because the alternatives analyzed for this action are intended to maintain current levels of fishery participation without opening the possibility of large-scale new entrants to the fishery, all of the alternatives are expected to have little to no impact on current fishery participants. However, this action could foreclose opportunity for large vessels that may wish to enter the fishery in the future, since the trip limits proposed via this action are based on harvest levels

commonly taken by the current smaller-sized participating vessels.

All of the management measures in this proposed rule, except the spiny dogfish and Pacific cod trip limits, are within the scope of the EIS prepared for the 2005–2006 Pacific Coast groundfish specifications and management measures. NMFS prepared and EA for the spiny dogfish and Pacific cod trip limits which discussed a range of alternative trip limits which were considered by the Pacific Council. The alternatives ranged from Alternative 1, status quo or unlimited trip limits for spiny dogfish and Pacific cod, to Alternative 3, the most conservative or constraining trip limits. Alternatives 2 and 2a are intermediate trip limit levels. The preferred alternatives were Alternative 2 for Pacific cod and Alternative 2a for spiny dogfish. Alternatives 2, 2a and 3 vary only slightly in their trip limit levels and were structured to maintain current participation in the fishery without encouraging new participation. The alternatives accommodate most of the recent harvest levels in the fishery, with Alternative 3 being slightly constraining to some vessels. No significant economic impacts are expected for small entities from this action.

There are no new reporting or record-keeping requirements that are proposed as part of this action. No Federal rules have been identified that duplicate, overlap, or conflict with the alternatives. Public comment is hereby solicited, identifying such rules, if any.

In accordance with E.O. 13175, this proposed rule was developed after meaningful consultation and collaboration with the tribal representative on the Pacific Council and tribal officials from the tribes affected by this action. Under the Magnuson-Stevens Act at 16 U.S.C. 1852(b)(5), one of the voting members of the Pacific Council must be a representative of an Indian tribe with federally recognized fishing rights from the area of the Council's jurisdiction. The tribal representative on the Council made a motion to adopt the management measures in this rule that would affect tribal fishery participants, which was passed by the Council.

This proposed rule has been determined to be not significant for purposes of Executive Order 12866.

#### **List of Subjects in 50 CFR Part 660**

Administrative practice and procedure, American Samoa, Fisheries, Fishing, Guam, Hawaiian Natives, Indians, Northern Mariana Islands, Reporting and recordkeeping requirements.



Dated: November 13, 2005.

**James W. Balsiger,**

*Acting Deputy Assistant Administrator for  
Regulatory Programs, National Marine  
Fisheries Service.*

For the reasons set out in the preamble, 50 CFR part 660 is proposed to be amended as follows:

**PART 660—FISHERIES OFF WEST COAST STATES AND IN THE WESTERN PACIFIC**

1. The authority citation for part 660 continues to read as follows:

**Authority:** 16 U.S.C. 1801 *et seq.*

2. In § 660.370, paragraph (c)(1)(i) introductory text, (c)(1)(ii), and (d) are revised and paragraphs (c)(1)(iii), (c)(1)(iv) and (i) are removed to read as follows:

**§ 660.370 Specifications and management measures.**

\* \* \* \* \*

(c) \* \* \*

(1) \* \* \*

(i) *Trip landing and frequency limits, size limits, all gear.* Trip landing and frequency limits have been designated as routine for the following species or species groups: widow rockfish, canary rockfish, yellowtail rockfish, Pacific ocean perch, yelloweye rockfish, black rockfish, blue rockfish, splitnose rockfish, chilipepper rockfish, bocaccio, cowcod, minor nearshore rockfish or shallow and deeper minor nearshore rockfish, shelf or minor shelf rockfish, and minor slope rockfish; DTS complex which is composed of Dover sole, sablefish, shortspine thornyheads, and longspine thornyheads; petrale sole, rex sole, arrowtooth flounder, Pacific sanddabs, and the flatfish complex, which is composed of those species plus any other flatfish species listed at § 660.302; Pacific whiting; lingcod; Pacific cod; spiny dogfish; and “other fish” as a complex consisting of all groundfish species listed at § 660.302 and not otherwise listed as a distinct species or species group. Size limits have been designated as routine for sablefish and lingcod. Trip landing and frequency limits and size limits for species with those limits designated as routine may be imposed or adjusted on a biennial or more frequent basis for the purpose of keeping landings within the harvest levels announced by NMFS, and for the other purposes given in paragraphs (c)(1)(i)(A) and (B) of this section.

\* \* \* \* \*

(ii) *Differential trip landing limits and frequency limits based on gear type, closed seasons.* Trip landing and frequency limits that differ by gear type

and closed seasons may be imposed or adjusted on a biennial or more frequent basis for the purpose of rebuilding and protecting overfished or depleted stocks. To achieve the rebuilding of an overfished or depleted stock, the Pacific whiting primary seasons described at § 660.373(b), may be closed for any or all of the fishery sectors identified at § 660.373(a) before the sector allocation is reached if any of the bycatch limits identified at § 660.373(b)(4) are reached.

\* \* \* \* \*

(d) *Automatic actions.* Automatic management actions may be initiated by the NMFS Regional Administrator without prior public notice, opportunity to comment, or a Council meeting. These actions are nondiscretionary, and the impacts must have been taken into account prior to the action. Unless otherwise stated, a single notice will be published in the **Federal Register** making the action effective if good cause exists under the Administrative Procedure Act to waive notice and comment. Automatic actions are used in the Pacific whiting fishery to close the fishery or reinstate trip limits when a whiting harvest guideline, commercial harvest guideline, or a sector’s allocation is reached, or is projected to be reached; or to reappportion unused allocation to other sectors of the fishery.

\* \* \* \* \*

3. In § 660.383, paragraph (c)(4) is revised and paragraph (f) is removed to read as follows:

**§ 660.383 Open access fishery management measures.**

\* \* \* \* \*

(c) \* \* \*

(4) *Non-groundfish Trawl Rockfish Conservation Areas for the open access non-groundfish trawl fisheries.* (i) Fishing with any non-groundfish trawl gear in the open access fisheries is prohibited within the non-groundfish trawl RCA coastwide, except as authorized in this paragraph. Trawlers operating in the open access fisheries with legal groundfish trawl gear are considered to be operating in the non-groundfish trawl fishery and are, therefore, prohibited from fishing in the non-groundfish trawl RCA. Coastwide, it is unlawful to take and retain, possess, or land any species of fish taken with non-groundfish trawl gear within the non-groundfish trawl RCA, except as permitted in this paragraph for vessels participating in the pink shrimp and ridgeback prawn trawl fisheries. Boundaries for the non-groundfish trawl RCA throughout the year in the open access fishery are provided in Table 5 (North) and Table 5 (South) of this subpart and may be modified by NMFS

inseason pursuant to § 660.370(c). Non-groundfish trawl RCA boundaries are defined by specific latitude and longitude coordinates which are specified below at §§ 660.390 through 660.394. The non-groundfish trawl RCA is closed coastwide to open access non-groundfish trawl fishing, except as follows:

(A) Pink shrimp trawling is permitted in the non-groundfish trawl RCA, and

(B) When the shoreward line of the non-groundfish trawl RCA is shallower than 100-fm (183-m), the ridgeback prawn trawl fishery south of 34°27.00’ N. lat. may operate out to the 100-fm (183-m) boundary line specified at § 660.393 (i.e., the shoreward boundary of the non-groundfish trawl RCA is at the 100-fm (183-m) boundary line all year for the ridgeback prawn trawl fishery in this area).

(ii) For the non-groundfish trawl gear fisheries, non-groundfish trawl RCAs, if applicable, are generally described in the non-groundfish trawl gear sections at the bottom of Tables 5 (North) and 5 (South) of this subpart. Retention of groundfish caught by non-groundfish trawl gear is prohibited in the designated RCAs, except that:

(A) pink shrimp trawl may retain groundfish caught both within and shoreward and seaward of the non-groundfish trawl RCA subject to the limits in Tables 5 (North) and 5 (South) of this subpart, and

(B) South of 34°27’ N. lat., ridgeback prawn trawl may retain groundfish caught both within the non-groundfish trawl RCA out to 100-fm (183-m) when the shoreward boundary of the non-groundfish trawl RCA is shallower than 100-fm (183-m) (i.e., the shoreward boundary of the non-groundfish trawl RCA is at the 100-fm (183-m) boundary line all year for the ridgeback prawn trawl fishery in this area) and shoreward and seaward of the non-groundfish trawl RCA subject to the limits in Tables 5 (North) and 5 (South) of this subpart.

(iii) If a vessel fishes in the non-groundfish trawl RCA, it may not participate in any fishing on that trip that is prohibited by the restrictions that apply within the non-groundfish trawl RCA. [For example, if a vessel participates in the pink shrimp fishery within the RCA, the vessel cannot on the same trip participate in the DTS fishery seaward of the RCA.] Nothing in these Federal regulations supercedes any state regulations that may prohibit trawling shoreward of the 3-nm state waters boundary line.

\* \* \* \* \*

4. In § 660.384, paragraphs (c)(1)(i)(B), (c)(2)(i) and (iii), (c)(3)(i)(A)(2) and (4) are revised to read as follows:

**§ 660.384 Recreational fishery management measures.**

\* \* \* \* \*

(c) \* \* \*

(1) \* \* \*

(i) \* \* \*

(B) *Recreational Rockfish*

*Conservation Area.* Fishing for groundfish with recreational gear is prohibited within the recreational RCA. It is unlawful to take and retain, possess, or land groundfish taken with recreational gear within the recreational RCA. A vessel fishing in the recreational RCA may not be in possession of any groundfish. [For example, if a vessel participates in the recreational salmon fishery within the RCA, the vessel cannot be in possession of groundfish while in the RCA. The vessel may, however, on the same trip fish for and retain groundfish shoreward of the RCA on the return trip to port.] Off Washington, if recreational fishing for all groundfish is prohibited seaward of a boundary line approximating the 30-fm (55-m) depth contour, a document will be published in the **Federal Register** inseason pursuant to § 660.370(c). Coordinates for the boundary line approximating the 30-fm (55-m) depth contour are listed in § 660.391.

\* \* \* \* \*

(c) \* \* \*

(2) \* \* \*

(i) *Recreational Groundfish*

*Conservation Areas off Oregon.* Fishing for groundfish with recreational gear is prohibited within the recreational RCA, a type of closed area or GCA. It is unlawful to take and retain, possess, or land groundfish taken with recreational gear within the recreational RCA. A vessel fishing in the recreational RCA may not be in possession of any groundfish. [For example, if a vessel participates in the recreational salmon fishery within the RCA, the vessel cannot be in possession of groundfish while in the RCA. The vessel may, however, on the same trip fish for and retain groundfish shoreward of the RCA on the return trip to port.] Off Oregon, from June 1 through September 30, recreational fishing for groundfish is prohibited seaward of a recreational RCA boundary line approximating the 40-fm (73-m) depth contour. Coordinates for the boundary line approximating the 40-fm (73-m) depth contour are listed at § 660.391. Recreational fishing for all groundfish may be prohibited inseason seaward of the 20-fm (37-m) depth contour or

seaward of a boundary line approximating the 30-fm (55-m) depth contour. If the closure seaward of the 20-fm (37-m) depth contour or a boundary line approximating the 30-fm (55-m) depth contour is implemented inseason, a document will be published in the **Federal Register** pursuant to § 660.370(c). Coordinates for the boundary line approximating the 30-fm (55-m) depth contour are listed at § 660.391.

\* \* \* \* \*

(iii) *Bag limits, size limits.* The bag limits for each person engaged in recreational fishing in the EEZ seaward of Oregon are two lingcod per day, which may be no smaller than 24 in (61 cm) total length; and 10 marine fish per day, which excludes Pacific halibut, salmonids, tuna, perch species, sturgeon, sanddabs, lingcod, striped bass, hybrid bass, offshore pelagic species and baitfish (herring, smelt, anchovies and sardines), but which includes rockfish, greenling, cabezon and other groundfish species. The minimum size limit for cabezon retained in the recreational fishery is 16 in (41 cm) and for greenling is 10 in (26 cm). Taking and retaining canary rockfish and yelloweye rockfish is prohibited.

\* \* \* \* \*

(c) \* \* \*

(3) \* \* \*

(i) \* \* \*

(A) \* \* \*

(2) *Between 40°10' N. lat. and 36° N.*

*lat., recreational fishing for all groundfish (except "other flatfish") is prohibited seaward of the 20-fm (37-m) depth contour along the mainland coast and along islands and offshore seamounts from July 1 through December 31; and is closed entirely from January 1 through June 30 (i.e., prohibited seaward of the shoreline). Closures around the Farallon Islands (see paragraph (c)(3)(i)(C) of this section) and Cordell Banks (see paragraph (c)(3)(i)(D) of this section) also apply in this area.*

\* \* \* \* \*

(4) *South of 34°27.00' N. latitude,* recreational fishing for all groundfish (except California scorpionfish as specified below in this paragraph and in paragraph (v) and "other flatfish" as specified in paragraph (c)(3)(iv) of this section) is prohibited seaward of a boundary line approximating the 60-fm (110-m) depth contour from March 1 through August 30 and November 1 through December 31 along the mainland coast and along islands and offshore seamounts; and is prohibited seaward of a boundary line

approximating the 30-fm (55-m) depth contour from September 1 through October 31; except in the CCAs where fishing is prohibited seaward of the 20-fm (37-m) depth contour when the fishing season is open (see paragraph (c)(3)(i)(B) of this section). Recreational fishing for all groundfish (except "other flatfish") is closed entirely from January 1 through February 28 (i.e., prohibited seaward of the shoreline). Recreational fishing for California scorpionfish south of 34°27.00' N. latitude is prohibited seaward of a boundary line approximating the 30-fm (55-m) depth contour from October 1 through October 31, and seaward of the 60-fm (110-m) depth contour from November 1 through December 31, except in the CCAs where fishing is prohibited seaward of the 20-fm (37-m) depth contour when the fishing season is open. Recreational fishing for California scorpionfish south of 34°27.00' N. latitude is closed entirely from January 1 through September 30 (i.e., prohibited seaward of the shoreline). Coordinates for the boundary line approximating the 30-fm (55-m) and 60-fm (110-m) depth contours are specified in § 660.391 and 660.392.

\* \* \* \* \*

5. In § 660.385, paragraphs (b)(2) and (d) are revised and paragraphs (f) and (g) are added to read as follows:

**§ 660.385 Washington coastal tribal fisheries management measures.**

\* \* \* \* \*

(b) \* \* \*

(2) The tribe will manage their fisheries so that fishermen are either subject to a 300 lb trip limit for thornyheads or subject to the limited entry trip limits for thornyheads.

\* \* \* \* \*

(d) *Flatfish and other fish.* Treaty fishing vessels using bottom trawl gear are subject to the limits applicable to the non-tribal limited entry trawl fishery for English sole, rex sole, arrowtooth flounder, and other flatfish that are published at the beginning of the year. Treaty fishing vessels are restricted to a 50,000 lb (22,680 kg) per 2-month limit for petrale sole for the entire year.

\* \* \* \* \*

(f) There is a tribal harvest guideline of 400 mt of Pacific cod. The tribes will manage their fisheries within this harvest guideline.

(g) The tribes will manage their spiny dogfish fishery within the trip limits for the non-tribal fisheries.

\* \* \* \* \*

6. In § 660.391, paragraph (e) is revised to read as follows:

**§ 660.391 Latitude/longitude coordinates defining the 27 fm (49 m) through 40 fm (73 m) depth contours.**

(e) The 30 fm (55 m) depth contour around the northern Channel Islands off the state of California is defined by straight lines connecting all of the following points in the order stated:

- |  |  |  |
|--|--|--|
| (1) 34°00.98' N. lat., 119°20.46' W. long.;  | (22) 33°52.79' N. lat., 120°01.81' W. long.; | (45) 34°05.69' N. lat., 120°25.82' W. long.; |
| (2) 34°00.53' N. lat., 119°20.98' W. long.;  | (23) 33°52.51' N. lat., 120°03.08' W. long.; | (46) 34°07.24' N. lat., 120°24.98' W. long.; |
| (3) 34°00.17' N. lat., 119°21.83' W. long.;  | (24) 33°53.12' N. lat., 120°04.88' W. long.; | (47) 34°06.00' N. lat., 120°23.30' W. long.; |
| (4) 33°59.65' N. lat., 119°24.45' W. long.;  | (25) 33°53.12' N. lat., 120°05.80' W. long.; | (48) 34°05.64' N. lat., 120°21.44' W. long.; |
| (5) 33°59.68' N. lat., 119°25.20' W. long.;  | (26) 33°52.94' N. lat., 120°06.50' W. long.; | (49) 34°03.61' N. lat., 120°18.40' W. long.; |
| (6) 33°59.95' N. lat., 119°26.25' W. long.;  | (27) 33°54.03' N. lat., 120°10.00' W. long.; | (50) 34°03.25' N. lat., 120°16.64' W. long.; |
| (7) 33°59.87' N. lat., 119°27.27' W. long.;  | (28) 33°54.58' N. lat., 120°11.82' W. long.; | (51) 34°04.33' N. lat., 120°14.22' W. long.; |
| (8) 33°59.55' N. lat., 119°28.02' W. long.;  | (29) 33°57.08' N. lat., 120°14.58' W. long.; | (52) 34°04.11' N. lat., 120°11.17' W. long.; |
| (9) 33°58.63' N. lat., 119°36.48' W. long.;  | (30) 33°59.50' N. lat., 120°16.72' W. long.; | (53) 34°03.72' N. lat., 120°09.93' W. long.; |
| (10) 33°57.62' N. lat., 119°41.13' W. long.; | (31) 33°59.63' N. lat., 120°17.88' W. long.; | (54) 34°03.81' N. lat., 120°08.96' W. long.; |
| (11) 33°57.00' N. lat., 119°42.20' W. long.; | (32) 34°00.30' N. lat., 120°19.14' W. long.; | (55) 34°03.36' N. lat., 120°06.52' W. long.; |
| (12) 33°56.93' N. lat., 119°48.00' W. long.; | (33) 34°00.02' N. lat., 120°19.68' W. long.; | (56) 34°04.80' N. lat., 120°04.00' W. long.; |
| (13) 33°56.45' N. lat., 119°49.12' W. long.; | (34) 34°00.08' N. lat., 120°21.73' W. long.; | (57) 34°03.48' N. lat., 120°01.75' W. long.; |
| (14) 33°58.54' N. lat., 119°52.80' W. long.; | (35) 34°00.94' N. lat., 120°24.82' W. long.; | (58) 34°04.00' N. lat., 120°01.00' W. long.; |
| (15) 33°59.95' N. lat., 119°54.49' W. long.; | (36) 34°01.09' N. lat., 120°27.29' W. long.; | (59) 34°03.99' N. lat., 120°00.15' W. long.; |
| (16) 33°59.83' N. lat., 119°56.00' W. long.; | (37) 34°00.96' N. lat., 120°28.09' W. long.; | (60) 34°03.51' N. lat., 119°59.42' W. long.; |
| (17) 33°59.18' N. lat., 119°57.17' W. long.; | (38) 34°01.56' N. lat., 120°28.71' W. long.; | (61) 34°03.79' N. lat., 119°58.15' W. long.; |
| (18) 33°57.83' N. lat., 119°56.74' W. long.; | (39) 34°01.80' N. lat., 120°28.31' W. long.; | (62) 34°04.72' N. lat., 119°57.61' W. long.; |
| (19) 33°55.71' N. lat., 119°56.89' W. long.; | (40) 34°03.60' N. lat., 120°28.87' W. long.; | (63) 34°05.14' N. lat., 119°55.17' W. long.; |
| (20) 33°53.89' N. lat., 119°57.68' W. long.; | (41) 34°05.20' N. lat., 120°29.38' W. long.; | (64) 34°04.66' N. lat., 119°51.60' W. long.; |
| (21) 33°52.93' N. lat., 119°59.80' W. long.; | (42) 34°05.35' N. lat., 120°28.20' W. long.; | (65) 34°03.79' N. lat., 119°48.86' W. long.; |
|  | (43) 34°05.30' N. lat., 120°27.33' W. long.; | (66) 34°03.79' N. lat., 119°45.46' W. long.; |
|  | (44) 34°05.65' N. lat., 120°26.79' W. long.; | (67) 34°03.27' N. lat., 119°44.17' W. long.; |

(68) 34°03.29' N. lat., 119°43.30' W. long.;

(69) 34°01.71' N. lat., 119°40.83' W. long.;

(70) 34°01.74' N. lat., 119°37.92' W. long.;

(71) 34°02.07' N. lat., 119°37.17' W. long.;

(72) 34°02.93' N. lat., 119°36.52' W. long.;

(73) 34°03.48' N. lat., 119°35.50' W. long.;

(74) 34°03.56' N. lat., 119°32.80' W. long.;

(75) 34°02.72' N. lat., 119°31.84' W. long.;

(76) 34°02.20' N. lat., 119°30.53' W. long.;

(77) 34°01.49' N. lat., 119°30.20' W. long.;

(78) 34°00.66' N. lat., 119°28.62' W. long.;

(79) 34°00.66' N. lat., 119°27.57' W. long.;

(80) 34°01.41' N. lat., 119°26.91' W. long.;

(81) 34°00.91' N. lat., 119°24.28' W. long.;

(82) 34°01.51' N. lat., 119°22.06' W. long.;

(83) 34°01.41' N. lat., 119°20.61' W. long.; and

(84) 34°00.98' N. lat., 119°20.46' W. long.

\* \* \* \* \*

7. In § 660.392, paragraph (g) is revised to read as follows:

**§ 660.392 Latitude/longitude coordinates defining the 50 fm (91 m) through 75 fm (137 m) depth contours.**

(g) The 30 fm (55 m) depth contour around Santa Catalina Island off the state of California is defined by straight lines connecting all of the following points in the order stated:

(1) 34°09.16' N. lat., 120°26.31' W. long.;

(2) 34°06.69' N. lat., 120°16.43' W. long.;

(3) 34°06.38' N. lat., 120°04.00' W. long.;

(4) 34°07.36' N. lat., 119°52.06' W. long.;

(5) 34°04.84' N. lat., 119°36.94' W. long.;

(6) 34°04.84' N. lat., 119°35.50' W. long.;

(7) 34°05.04' N. lat., 119°32.80' W. long.;

(8) 34°04.00' N. lat., 119°26.70' W. long.;

(9) 34°02.80' N. lat., 119°21.40' W. long.;

(10) 34°02.36' N. lat., 119°18.97' W. long.;

(11) 34°00.65' N. lat., 119°19.42' W. long.;

(12) 33°59.45' N. lat., 119°22.38' W. long.;

(13) 33°58.68' N. lat., 119°32.36' W. long.;

(14) 33°56.14' N. lat., 119°41.09' W. long.;

(15) 33°55.84' N. lat., 119°48.00' W. long.;

(16) 33°57.22' N. lat., 119°52.09' W. long.;

(17) 33°59.32' N. lat., 119°55.59' W. long.;

(18) 33°57.52' N. lat., 119°55.19' W. long.;

(19) 33°56.10' N. lat., 119°54.25' W. long.;

(20) 33°50.28' N. lat., 119°56.02' W. long.;

(21) 33°48.51' N. lat., 119°59.67' W. long.;

(22) 33°49.14' N. lat., 120°03.58' W. long.;

(23) 33°51.93' N. lat., 120°06.50' W. long.;

(24) 33°54.36' N. lat., 120°13.06' W. long.;

(25) 33°58.53' N. lat., 120°20.46' W. long.;

(26) 34°00.12' N. lat., 120°28.12' W. long.;

(27) 34°08.09' N. lat., 120°35.85' W. long.;

(28) 34°08.80' N. lat., 120°34.58' W. long.; and

(29) 34°09.16' N. lat., 120°26.31' W. long.

\* \* \* \* \*

8. In § 660.393, paragraph (h)(157) is revised to read as follows:

**§ 660.393 Latitude/longitude coordinates defining the 100 fm (183 m) through 150 fm (274 m) depth contours.**

\* \* \* \* \*

(h) \* \* \*

\* \* \* \* \*

(157) 40°21.90' N. lat., 124°25.18' W. long.;

\* \* \* \* \*

9. In part 660, subpart G, Tables 2a and 2b are revised to read as follows:

**BILLING CODE 3510-22-S**

Table 2a. 2006, and Beyond, Specifications of Acceptable Biological Catch (ABC), Optimum Yields (OYs), Harvest Guidelines (HG), and Limited Entry and Open Access Allocations, by management Area (weights in metric tons).

ACCEPTABLE BIOLOGICAL CATCH (ABC)										Allocations total catch			
Species	Vanco u- var a/	Colu m-bia	Eureka	Monte- rey	Concep- tion	Total Catch	OY  (Total catch)	Commer- cial Harvest guide- lines (Total Catch)	Limited Entry		Open Access		
									Mt	%	Mt	%	
ROUNDFISH													
Lingcod b/ north of 42° N. lat.	1,694			1,021		2,716	1,801	214.7	--	81.0	--	19.0	
Lingcod south of 42° N. lat.							612						
Pacific Cod d/	3,200			c/		3,200	1,600	1,200	--	--	--	--	
Pacific Whiting e/	114,297 - 457,186		114,297- 457,186				114,297- 457,186		--	--	--	--	
Sablefish f/ north of 36°	8,175		8,175				8,175	7,363	6,522	5,909	90.6	613	9.4
Sablefish g/ south of 36°								271	271	--	--	--	--
Cabezon h/ south of 42°N. lat.	c/			108		108	69	--	--	--	--	--	
FLATFISH													
Dover sole i/	8,589		8,589				7,564	7,504	--	--	--	--	
English sole j/	2,000		1,100			3,100	-	-	-	-	-	-	
Petrale sole k/	1,262	500	800	200		2,762	2,762	-	-	-	-	-	
Arrowtooth flounder l/	5,800		5,800				5,800	-	-	-	-	-	
Other flatfish m/	6,781		6,781				4,090	-	-	-	-	-	

ACCEPTABLE BIOLOGICAL CATCH (ABC)							OY (Total catch)	Commer- cial Harvest guide- lines (Total Catch)	Allocations total catch				
Species		Vanco u- ver	Colu m-bia	Eureka	Mont- erey	Concep- tion			ABC	Limited Entry		Open Access	
										Mt	%	Mt	%
ROCKFISH:													
Pacific ocean perch n/	934						934	447	102.6	--	--	--	
Shortbelly o/		13,900					13,900	13,900	13,888	--	--	--	
Widow p/		3,059					3,059	289	285.6	--	97.0	3.0	
Canary q/		270					270	47.1	22.7	--	87.7	12.3	
Chilipepper r/	c/			2,700			2,700	2,000	1,964	1,094	55.7	870 44.3	
Bocaccio s/	c/			549			549	308	75.2	--	52.7	-- 44.3	
Splitnose t/	c/			615			615	461	461	--	--	--	
Yellowtail u/	3,681			c/			3,681	3,681	3655	3,352	91.7	303 8.3	
Shortspine thornyhead v/ north of 34°27'		1,077					1,077	1018	1011	984	99.7	27 0.27	
Longspine thornyhead w/ north of 36°	2,461				--		2,461	2,461	2449	--	--	--	
south of 36° x/	--				390		390	195	195	--	--	--	
Cowcod y/	c/		19		--		19	2.1	0	--	--	--	
	c/		--		5		5	2.1	0	--	--	--	
Darkblotched z/		294					294	200	194.8	--	--	--	
Yelloweye aa/		55					55	27	6.4	--	--	--	
Black bb/ north of 46°16' N. lat.		540					540	540		-	-	--	
Black bb/ south of 46°16' N. lat.		736					736	736					

Species	ACCEPTABLE BIOLOGICAL CATCH (ABC)						OY (Total catch)	Commer- cial Harvest guide- lines (Total Catch)	Allocations total catch			
	Vanco u-ver	Colum- bia	Eureka	Mont- erey	Conce p-tion	Total Catch			Limite d Entry			
									Mt	%	Mt	%
Minor Rockfish north cc/		3,680			--	3,680	2,250	2,172	1,992	91.7	180	8.3
Minor Rockfish south dd/		--			3,412	3,412	1,968	1,525	849	55.7	676	44.3
Remaining Rockfish		1,612			854	--	--	--	--	--	--	--
bank ee/		c/			350	350	--	--	--	--	--	--
blackgill ff/		c/		75	268	343	--	--	--	--	--	--
bocaccio north		318				318	--	--	--	--	--	--
chilipepper north		32				32	--	--	--	--	--	--
redstripe		576			c/	576	--	--	--	--	--	--
sharpchin		307			45	352	--	--	--	--	--	--
silvergrey		38			c/	38	--	--	--	--	--	--
splitnose		242			c/	242	--	--	--	--	--	--
yellowmouth		99			c/	99	--	--	--	--	--	--
yellowtail south					116	116	--	--	--	--	--	--
Other rockfish gg/		2,068			2,558	--	--	--	--	--	--	--
SHARKS/SKATES/RATFISH/MORIDS/GRENADIERS												
OTHER FISH ee/	2,500	7,000	1,200		3,900	14,600	7,300	--	--	--	--	--



Table 2b. 2006, and Beyond, OYs for minor rockfish by depth sub-groups (weights in metric tons).

Species	Total Catch ABC	OY (Total Catch)			Harvest Guidelines (total catch)			
		Total Catch OY	Recreational Estimate	Commercial HG for minor rockfish and depth sub-groups	Limited Entry		Open Access	
					Mt	%	Mt	%
Minor Rockfish north cc/	3,680	2,250	78	2,172	1,992	91.7	180	8.3
Nearshore		122	68	54				
Shelf		968	10	958				
Slope		1,160	0	1,160				
Minor Rockfish south dd/	3,412	1,968	443	1,390	774	55.7	616	44.3
Nearshore ii/		615	383	97				
Shelf		714	60	654				
Slope		639	0	639				

a/ ABCs apply to the U.S. portion of the Vancouver area, except as noted under individual species.

b/ Lingcod was declared overfished on March 3, 1999. A coastwide stock assessment was prepared in 2003. Lingcod was believed to be at 25 percent of its unfished biomass coastwide in 2002, 31 percent in the north and 19 percent in the south. The ABC projection for 2006 is 2,716 mt and was calculated using an  $F_{MSY}$  proxy of  $F_{45\%}$ . The total catch OY of 2,414 mt (the sum of 1,891 mt in the north and 612 mt in the south) is based on the rebuilding plan with a 70 percent probability of rebuilding the stock to  $B_{MSY}$  by the year 2009 ( $T_{MAX}$ ). The harvest control rule will be  $F=0.17$  in the north and  $F=0.15$  in the south. Out of the OY, it is estimated that 693 mt will be taken in the recreational fishery, 7.2 mt will be taken during research activity, and 2.8 mt will be taken in non-groundfish fisheries. Under the 2006 management measures, it is anticipated that 214.7 mt will be taken in the commercial fisheries (which is being set as a commercial HG), leaving a residual amount of 1,496.3 mt to be used as necessary during the fishing year. There is a recreational harvest guideline of 271 mt for the area north of 42° N. Lat. and a recreational harvest guideline of 422 mt for the area south of 42° N. Lat. The tribes do not have a specific allocation at this time, but are expected to take 25.1 mt of the commercial HG.

c/ "Other species", these are neither common nor important to the commercial and recreational fisheries in the areas footnoted. Accordingly, Pacific cod is included in the non-commercial HG of "other fish" and rockfish species are included in either "other rockfish" or "remaining rockfish" for the areas footnoted.

d/ Pacific Cod - The 3,200 mt ABC is based on historical landings data and is set at the same level as it was in 2004. The 1,600 mt OY is the ABC reduced by 50 percent as a precautionary adjustment. The OY is reduced by 400 mt for the tribal harvest guideline, resulting in a commercial harvest guideline of 1,200 mt.

e/ Pacific whiting - The most recent stock assessment was prepared in early 2004, and the whiting biomass was estimated to be above 40 percent of its unfished biomass in 2003. A range is presented for the ABC and OY values because final adoption of the ABC and OY have been deferred until the Council's March 2006 meeting. It is anticipated that an assessment update will be available in early 2006 and the results of the new assessment will be used to set the 2006 ABC and OY.

f/ Sablefish north of 36° N. lat. - A coastwide sablefish stock assessment was prepared in 2001 and updated for 2002. Following the 2002 stock assessment update, the sablefish biomass north of 34° 27' N. lat. was believed to be between 31 percent and 38 percent of its unfished biomass. The coastwide ABC of 8,175 mt is based on environmentally driven projections with the  $F_{MSY}$  proxy of  $F_{45\%}$ . The ABC for the management area north of 36° N. lat. is 7,885 mt (96.45 percent of the coastwide ABC). The coastwide OY of 7,634 mt (the sum of 7,363 mt in the north and 271 mt in the south) is based on the density-dependent model and the application of the 40-10 harvest policy. The total catch OY for the area north of 36° N. lat. is 7,363 mt and is 96.45 percent of the coastwide OY. The OY is reduced by 10 percent (736 mt) for the tribal allocation. Out of the remaining OY, 86 mt will be taken during research activity, and 19 mt will be taken in non-groundfish fisheries, resulting in a commercial HG of 6,522 mt. The open access allocation is 9.4 percent (613 mt) of the commercial HG and the limited entry allocation is 90.6 percent (5,909 mt) of the commercial HG. The limited entry allocation is further divided with 58 percent (3,427 mt) allocated to the trawl fishery and 42 percent (2,482 mt) allocated to the fixed-gear fishery. To provide for bycatch in the at-sea whiting fishery, 15 mt of the limited entry trawl allocation will be set aside.

g/ Sablefish south of 36° N. lat. - The ABC of 290 mt is 3.55 percent of the ABC from the 2002 coastwide stock assessment update. The total catch OY of 271 mt is 3.55 percent of the OY from the 2002 coastwide stock assessment update. There are no limited entry or open access allocations in the Conception area at this time.

h/ Cabezon was first assessed in 2003 and was believed to be at 34.7 percent of its unfished biomass. The ABC of 108 mt is based on a harvest rate proxy of  $F_{45\%}$ . The OY of 69 mt is based on a constant harvest level for 2005 and 2006..

i/ Dover sole north of 34° 27' N. lat. was assessed in 2001 and was believed to be at 29 percent of its unfished biomass. The ABC of 8,589 mt is the 2006 projection from the 2001 assessment with an  $F_{MSY}$  proxy of  $F_{40\%}$ . Because the biomass is estimated to be in the precautionary zone, the 40-10 harvest rate policy was applied, resulting in a total catch OY of 7,564 mt. The OY is reduced by 60 mt for the amount estimated to be taken as research catch, resulting in a commercial HG of 7,504 mt.

j/ English sole - Research catch is estimated to be 9.7 mt.

k/ Petrale Sole was believed to be at 42 percent of its unfished biomass following a 1999 stock assessment. For 2006, the ABC for the Vancouver-Columbia area (1,262 mt) is based on a four year average projection from 2000-2003 with a  $F_{40\%}$   $F_{MSY}$  proxy. The ABCs for the Eureka, Monterey, and Conception areas (1,500 mt) are based on historical landings data and continue at the same level as 2005. Management measures to constrain the harvest of overfished species, have reduced the availability of these stocks to the fishery during the past several years. Because the harvest assumptions (from the most recent stock assessment in the Vancouver-Columbia area) used to forecast future harvest were likely overestimates, carrying the previously used ABCs and OYs forward into 2006 was considered to be conservative and based on the best available data. Research catch is estimated to be 2.9 mt and will be taken out of the OY.

l/ Arrowtooth flounder was last assessed in 1993 and was believed to be above 40 percent of its unfished biomass. Research catch is estimated to be 13.6 mt and will be taken out of the OY.

m/ Other flatfish are those species that do not have individual ABC/OYs and include butter sole, curlfin sole, flathead sole, Pacific sand dab, rex sole, rock sole, sand sole, and starry flounder. The ABC is based on historical catch levels. The ABC of 6,781 mt is based on the highest landings for sanddabs (1995) and rex sole (1982) for the 1981-2003 period and on the average landings from the 1994-1998 period for the remaining other flatfish species. The OY of 4,909 mt is based on the ABC with a 25 percent precautionary adjustment for sanddabs and rex sole and a 50 percent precautionary adjustment for the remaining species. Research catch is estimated to be 20.5 mt and will be taken out of the OY.

n/ POP was declared overfished on March 3, 1999. A stock assessment was prepared in 2003 and POP was determined to be at 25 percent of its unfished biomass. The ABC of 934 mt was projected from the 2003 stock assessment and is based on an  $F_{MSY}$  proxy of  $F_{50\%}$ . The OY of 447 mt is based on a 70 percent probability of rebuilding the stock to  $B_{MSY}$  by the year 2042 ( $T_{MAX}$ ). The harvest control rule will be  $F=0.0257$ . Out of the OY it is anticipated that 4.6 mt will be taken during research activity and 102.6 mt in the commercial fishery (which is being set as a commercial HG), leaving a residual amount of 339.8 mt to be used as necessary during the fishing year.

o/ Shortbelly rockfish remains as an unexploited stock and is difficult to assess quantitatively. A 1989 stock assessment provided 2 alternative yield calculations of 13,900 mt and 47,000 mt. NMFS surveys have shown poor

recruitment in most years since 1989, indicating low recent productivity and a naturally declining population in spite of low fishing pressure. The ABC and OY therefore are set at 13,900 mt, the low end of the range in the stock assessment. The available OY is reduced by 12 mt for the amount estimated to be taken as research catch, resulting in a commercial HG of 13,888 mt.

p/ The widow rockfish stock was declared overfished on January 11, 2001 (66 FR 2338). The most recent stock assessment was prepared for widow rockfish in 2003. The spawning stock biomass is believed to be at 22.4 percent of its unfished biomass in 2002. The ABC of 3,059 mt is based on an  $F_{50\% F_{MSY}}$  proxy. The 289 mt OY is based on a 60 percent probability of rebuilding the stock to  $B_{MSY}$  by the year 2042 ( $T_{MAX}$ ). The harvest control rule is  $F=0.0093$ . Out of the OY, it is anticipated that 1.0 mt will be taken during the research activity, 2.3 mt will be taken in the recreational fishery, 0.1 mt will be taken in non-groundfish fisheries, and 285.6 mt will be taken in the commercial fishery (which is being set as the commercial HG). Specific open access/limited entry allocations have been suspended during the rebuilding period as necessary to meet the overall rebuilding target while allowing harvest of healthy stocks. Tribal vessels are estimated to land about 40 mt of widow rockfish in 2006, but do not have a specific allocation at this time. The set asides of widow rockfish taken in the Pacific whiting fisheries will likely be limited to 243.2 mt.

q/ Canary rockfish was declared overfished on January 4, 2000 (65 FR 221). A stock assessment was completed in 2002 for canary rockfish and the stock was believed to be at 8 percent of its unfished biomass coastwide in 2001. The coastwide ABC of 279 mt is based on a  $F_{MSY}$  proxy of  $F_{50\%}$ . The coastwide OY of 47.1 mt is based on the rebuilding plan, which has a 60 percent probability of rebuilding the stock to  $B_{MSY}$  by the year 2076 ( $T_{MAX}$ ) and a catch sharing arrangement which has 58 percent of the OY going to the commercial fisheries and 42 percent going to the recreational fishery. The harvest control rule will be  $F=0.0220$ . Out of the OY, it is anticipated that 2.7 mt will be taken during the research activity, 17.8 mt will be taken in the recreational fishery, 2.1 mt will be taken in non-groundfish fisheries, and 22.7 mt will be taken in the commercial fishery (which is being set as the commercial HG), leaving a residual amount of 1.8 mt. The residual amount will be further divided with 0.9 mt being available as needed for the recreational and 0.9 mt being available as needed for the commercial fisheries. A recreational HG for the area north of 42° N. lat. will be 8.5 mt. For the area south of 42° N. lat., the recreational HG will be 9.3 mt. Specific open access/limited entry allocations have been suspended during the rebuilding period as necessary to meet the overall rebuilding target while allowing harvest of healthy stocks. Tribal vessels are estimated to land about 2.6 mt of canary rockfish under the commercial HG, but do not have a specific allocation at this time.

r/ Chilipepper rockfish - the ABC (2,700 mt) for the Monterey-Conception area is based on a three year average projection from 1999-2001 with a  $F_{50\% F_{MSY}}$  proxy. Because the unfished biomass is believed to be above 40 percent, the default OY could be set equal to the ABC. However, the OY is set at 2,000 mt to discourage effort on chilipepper, which is taken with bocaccio. Management measures to constrain the harvest of overfished species have reduced the availability of these stocks to the fishery during the past several years. Because the harvest assumptions (from the most recent stock assessment) used to forecast future harvest were likely overestimates, carrying the previously used ABCs and OYs forward into 2006 was considered to be conservative and based on the best available data. The OY is reduced by 15 mt for the amount estimated to be taken in the recreational fishery and 21 mt for the amount estimated to be taken during research activity, resulting in a commercial HG of 1,964 mt. Open access is allocated 44.3 percent (870 mt) of the commercial HG and limited entry is allocated 55.7 percent (1,094 mt) of the commercial HG.

s/ Bocaccio was declared overfished on March 3, 1999. A new stock assessment

and a new rebuilding analysis were prepared for bocaccio in 2003. The bocaccio stock was believed to be at 7.4 percent of its unfished biomass in 2002. The ABC of 549 mt is based on a  $F_{50\%}$  proxy. The OY of 308 mt is based on the rebuilding analysis and has a 70 percent probability of rebuilding the stock to  $B_{MSY}$  by the year 2032 ( $T_{MAX}$ ). The harvest control rule is  $F=0.0498$ . Out of the OY, it is anticipated that 0.6 mt will be taken during the research activity, 43.0 mt will be taken in the recreational fishery, 1.3 mt will be taken in non-groundfish fisheries, and 75.2 mt will be taken in the commercial fishery (which is being set as the commercial HG), leaving a residual amount of 187.9 mt to be used as necessary during the fishing year.

t/ Splitnose rockfish - The ABC is 615 mt in the southern area (Monterey-Conception). The 461 mt OY for the southern area reflects a 25 percent precautionary adjustment because of the less rigorous stock assessment for this stock. In the north, splitnose is included in the minor slope rockfish OY. Because the harvest assumptions (from the most recent stock assessment) used to forecast future harvest were likely overestimates, carrying the previously used ABCs and OYs forward into 2006 was considered to be conservative and based on the best available data.

u/ Yellowtail rockfish - A yellowtail rockfish stock assessment was prepared in 2003 for the Vancouver-Columbia-Eureka areas. Yellowtail rockfish was believed to be at 46 percent of its unfished biomass in 2002. The ABC of 3,681 mt is based on the 2003 stock assessment with the  $F_{MSY}$  proxy of  $F_{50\%}$ . The OY of 3,681 mt was set equal to the ABC, because the stock is above the precautionary threshold. The OY is reduced by 15 mt for the amount estimated to be taken in the recreational fishery, 5 mt for the amount estimated to be taken during research activity, and 6 mt for the amount taken in non-groundfish fisheries, resulting in a commercial HG of 3,655 mt. The open access allocation (303 mt) is 8.3 percent of the commercial HG. The limited entry allocation (3,352 mt) is 91.7 percent the commercial HG. Tribal vessels are estimated to land about 506 mt of yellowtail rockfish in 2006, but do not have a specific allocation at this time.

v/ Shortspine thornyhead was last assessed in 2001 and the stock was believed to be between 25 and 50 percent of its unfished biomass. The ABC (1,077 mt) for the area north of Pt. Conception ( $34^{\circ}27'$  N. lat.) is based on a  $F_{50\%}$  proxy. The OY of 1,018 mt is based on the 2001 survey with the application of the 40-10 harvest policy. The OY is reduced by 7 mt for the amount estimated to be taken during research activity, resulting in a commercial HG of 1,011 mt. Open access is allocated 0.27 percent (27 mt) of the commercial HG and limited entry is allocated 99.73 percent (984 mt) of the commercial HG. There is no ABC or OY for the southern Conception area. Tribal vessels are estimated to land about 6.6 mt of shortspine thornyhead in 2006, but do not have a specific allocation at this time.

w/ Longspine thornyhead north of  $36^{\circ}$  is believed to be above 40 percent of its unfished biomass. The ABC (2,461 mt) in the north (Vancouver-Columbia-Eureka-Monterey) is based on a  $F_{50\%}$  proxy. Because the harvest assumptions (from the most recent stock assessment) used to forecast future harvest were likely overestimates, carrying the previously used ABCs and OYs forward into 2006 was considered to be conservative and based on the best available data. The total catch OY (2,461 mt) is set equal to the ABC. The OY is reduced by 12 mt for the amount estimated to be taken during research activity, resulting in a commercial HG of 2,449 mt.

x/ Longspine thornyhead south of  $36^{\circ}$  - A separate ABC (390 mt) is established for the Conception area and is based on historical catch for the portion of the Conception area north of  $34^{\circ}27'$  N. lat. (Point Conception). To address uncertainty in the stock assessment due to limited information, the ABC was reduced by 50 percent to obtain the OY, 195 mt. There is no ABC or OY for the southern Conception Area.

y/ Cowcod in the Conception area was assessed in 1999 and was believed to be less than 10 percent of its unfished biomass. Cowcod was declared as overfished on January 4, 2000 (65 FR 221). The ABC in the Conception area (5 mt) is based on the 1999 stock assessment, while the ABC for the Monterey area (19 mt) is based on average landings from 1993-1997. The OY of 4.2 mt (2.1 mt in each area) is based on the rebuilding plan adopted under Amendment 16-3, which has a 60 percent probability of rebuilding the stock to  $B_{MSY}$  by the year 2099 ( $T_{MAX}$ ). The harvest control rule is  $F=0.009$ . Cowcod retention will not be permitted in 2006. The OY will be used to accommodate discards of cowcod rockfish resulting from incidental take.

z/ Darkblotched rockfish was assessed in 2000 and a stock assessment update was prepared in 2003. Following the 2003 stock assessment update, the Darkblotched rockfish stock was believed to be at 11 percent of its unfished biomass. A new darkblotched rockfish assessment was prepared for 2005. The 2005 darkblotched rockfish stock assessment found that darkblotched has been rebuilding at a faster rate than had been shown in the 2003 stock assessment. Darkblotched rockfish stock was declared overfished on January 11, 2001 (66 FR 2338). The ABC of 294 mt was projected from the 2003 assessment update and is based on an  $F_{MSY}$  proxy of  $F_{50\%}$ . The 2006 OY will be 200 mt. This OY is 94 mt below the 294 mt OY originally in place for 2006, which was based on the rebuilding plan adopted under Amendment 16-2 and a harvest control rule of  $F=0.032$  [69 FR 77012.] Based on the results of the 2005 assessment, NMFs estimates that reducing the 2006 OY to 200 mt is projected to rebuild the darkblotched rockfish stock to  $B_{MSY}$  by March 2010 as compared to the July 2010 rebuilding date that was projected with a 294 mt OY. Out of the OY, it is anticipated that 5.2 mt will be taken during research activity, leaving 194.8 mt available to the commercial fishery.

aa/ Yelloweye rockfish was assessed in 2001 and updated for 2002. On January 11, 2002, yelloweye rockfish was declared overfished (67 FR 1555). In 2002 following the stock assessment update, yelloweye rockfish was believed to be at 24.1 percent of its unfished biomass coastwide. The 55 mt coastwide ABC is based on an  $F_{MSY}$  proxy of  $F_{50\%}$ . The OY of 27 mt, based on a revised rebuilding analysis (August 2002) and the rebuilding plan proposed under Amendment 16-3, have a 80 percent probability of rebuilding to  $B_{MSY}$  by the year 2071 ( $T_{MAX}$ ) and a harvest control rule of  $F=0.0153$ . Out of the OY, it is anticipated that 10.4 mt will be taken in the recreational fishery, 1.0 will be taken during research activity, 0.8 mt will be taken in non-groundfish fisheries and 6.4 mt will be taken in the commercial fishery (which is being set as a commercial HG), leaving a residual amount of 8.4 mt to be used as necessary during the fishing year. Tribal vessels are estimated to land about 2.3 mt of yelloweye rockfish of the commercial HG in 2006, but do not have a specific allocation at this time.

bb/ Black rockfish was last assessed in 2003 for the Columbia and Eureka area and in 2000 for the Vancouver area. The ABC for the area north of 46°16' N. lat. is 540 mt and the ABC for the area south of 46°16' N. lat. is 736 mt. Because of an overlap in the assessed areas between Cape Falcon and the Columbia River, projections from the 2000 stock assessment were adjusted downward by 12 percent to account for the overlap. The ABCs were derived using an  $F_{MSY}$  proxy of  $F_{50\%}$ . The unfished biomass is believed to be above 40 percent. Therefore, the OYs were set equal to the ABCs, 540 mt for the area north of 46°16' N. lat. and 736 mt for the area south of 46°16' N. lat. A harvest guideline of 30,000 lb (13.6 mt) is set for the tribes. The black rockfish OY in the area south of 46°16' N. lat. is subdivided with separate HGs being set for the area north of 42° N. lat. (427 mt/58 percent) and for the area south of 42° N. lat. (309 mt/42 percent). For the 427 mt attributed to the area north of 42° N. lat. 290-360 mt is estimated to be taken in the recreational fishery, resulting in a commercial HG of 67-137 mt. A range is being provided because the recreational and commercial shares are not currently available. Of the 309 mt of black rockfish attributed to the area south of 42° N. lat., a HG of 185

mt (60 percent) will be applied to the area north of 40°10' N. lat. and a HG of 124 mt (40 percent) will be applied to the area south of 40°10' N. lat. For the area between 42° N. lat. and 40°10' min N. lat., 74 mt is estimated to be taken in the recreational fishery, resulting in a commercial HG of 111 mt. For the area south of 40°10' N. lat., 101 mt is estimated to be taken in the recreational fishery, resulting in a commercial HG of 23 mt. Black rockfish was included in the minor rockfish north and other rockfish south categories until 2004.

cc/ Minor rockfish north includes the "remaining rockfish" and "other rockfish" categories in the Vancouver, Columbia, and Eureka areas combined. These species include "remaining rockfish", which generally includes species that have been assessed by less rigorous methods than stock assessments, and "other rockfish", which includes species that do not have quantifiable stock assessments. The ABC of 3,680 mt is the sum of the individual "remaining rockfish" ABCs plus the "other rockfish" ABCs. The remaining rockfish ABCs continue to be reduced by 25 percent ( $F=0.75M$ ) as a precautionary adjustment. To obtain the total catch OY of 2,250 mt, the remaining rockfish ABCs were further reduced by 25 percent and other rockfish ABCs were reduced by 50 percent. This was a precautionary measure to address limited stock assessment information. The OY is reduced by 78 mt for the amount estimated to be taken in the recreational fishery, resulting in a 2,172 mt commercial HG. Open access is allocated 8.3 percent (180 mt) of the commercial HG and limited entry is allocated 91.7 percent (1,992 mt) of the commercial HG. Tribal vessels are estimated to land about 28 mt of minor rockfish in 2006, but do not have a specific allocation at this time.

dd/ Minor rockfish south includes the "remaining rockfish" and "other rockfish" categories in the Monterey and Conception areas combined. These species include "remaining rockfish" which generally includes species that have been assessed by less rigorous methods than stock assessment, and "other rockfish" which includes species that do not have quantifiable stock assessments. The ABC of 3,412 mt is the sum of the individual "remaining rockfish" ABCs plus the "other rockfish" ABCs. The remaining rockfish ABCs continue to be reduced by 25 percent ( $F=0.75M$ ) as a precautionary adjustment. To obtain a total catch OY of 1,968 mt, the remaining rockfish ABCs are further reduced by 25 percent, with the exception of blackgill rockfish, the other rockfish ABCs were reduced by 50 percent. This was a precautionary measure due to limited stock assessment information. The OY is reduced by 443 mt for the amount estimated to be taken in the recreational fishery, resulting in a 1,525 mt HG for the commercial fishery. Open access is allocated 44.3 percent (676 mt) of the commercial HG and limited entry is allocated 55.7 percent (849 mt) of the commercial HG.

ee/ Bank rockfish -- The ABC is 350 mt which is based on a 2000 stock assessment for the Monterey and Conception areas. This stock contributes 263 mt towards the minor rockfish OY in the south.

ff/ Blackgill rockfish was believed to be at 51 percent of its unfished biomass in 1997. The ABC of 343 mt is the sum of the Conception area ABC of 268 mt, based on the 1998 stock assessment with an  $F_{MSY}$  proxy of  $F_{50\%}$ , and the Monterey area ABC of 75 mt. This stock contributes 306 mt towards minor rockfish south (268 mt for the Conception area ABC and 38 mt for the Monterey area). The OY for the Monterey area is the ABC reduced by 50 percent as a precautionary measure because of the lack of information.

gg/ "Other rockfish" includes rockfish species listed in 50 CFR 660.302 and California scorpionfish. The ABC is based on the 1996 review of commercial *Sebastes* landings and includes an estimate of recreational landings. These species have never been assessed quantitatively. The amount expected to be taken during research activity is reduced by 22.1 mt.

hh/ "Other fish" includes sharks, skates, rays, ratfish, morids, grenadiers,



kelp greenling, and other groundfish species noted above in footnote c/. The amount expected to be taken during research activity is 55.7 mt.

ii/ Minor nearshore rockfish south - The total catch OY is 615 mt. Out of the OY it is anticipated that the recreational fishery will take 383 mt, and 97 mt will be taken by the commercial fishery (which is being set as a commercial HG), leaving a residual amount of 135 mt to be used as necessary during the fishing year.

10. In part 660, subpart G, Tables 3 (both North and South), Tables 4 (both North and South) and Tables 5 (both

North and South) are revised to read as follows:

**Table 3 (North) to Part 660, Subpart G -- 2006 Trip Limits for Limited Entry Trawl Gear North of 40°10' N. Lat.****Other Limits and Requirements Apply -- Read § 660.301 - § 660.390 before using this table**

122005

	JAN	FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
<b>Rockfish Conservation Area (RCA) <sup>6/</sup>:</b>							
North of 40°10' N. lat.	75 fm - modified 200 fm <sup>7/</sup>		75 - 200 fm		100 - 200 fm	75 fm - 200 fm	75 fm - modified 200 fm <sup>7/</sup>

Selective flatfish trawl gear is required shoreward of the RCA; all trawl gear (large footrope, selective flatfish trawl, and small footrope trawl gear) is permitted seaward of the RCA. Midwater trawl gear is permitted only for vessels participating in the primary whiting season.

See § 660.370 and § 660.381 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions.  
See §§ 660.390-660.394 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, and Cordell Banks).

State trip limits may be more restrictive than federal trip limits, particularly in waters off Oregon and California.

1	Minor slope rockfish <sup>2/</sup> & Darkblotched rockfish	2,000 lb/ month	4,000 lb/ 2 months			
2	Pacific ocean perch	1,500 lb/ month	3,000 lb/ 2 months			
3	DTS complex					
4	Sablefish					
5	large & small footrope gear	7,000 lb/ month	14,000 lb/ 2 months	20,000 lb/ 2 months		14,000 lb/ 2 months
6	selective flatfish trawl gear	2,500 lb/ month	7,000 lb/ 2 months	13,500 lb/ 2 months	7,000 lb/ 2 months	5,000 lb/ 2 months
7	multiple bottom trawl gear <sup>8/</sup>	2,500 lb/ month	7,000 lb/ 2 months	13,500 lb/ 2 months	7,000 lb/ 2 months	5,000 lb/ 2 months
8	Longspine thornyhead					
9	large & small footrope gear	7,500 lb/ month	15,000 lb/ 2 months	23,000 lb/ 2 months		15,000 lb/ 2 months
10	selective flatfish trawl gear	1,500 lb/ month	3,000 lb/ 2 months			
11	multiple bottom trawl gear <sup>8/</sup>	1,500 lb/ month	3,000 lb/ 2 months			
12	Shortspine thornyhead					
13	large & small footrope gear	2,000 lb/ month	4,000 lb/ 2 months	5,800 lb/ 2 months		4,000 lb/ 2 months
14	selective flatfish trawl gear	1,500 lb/ month	3,000 lb/ 2 months			
15	multiple bottom trawl gear <sup>8/</sup>	1,500 lb/ month	3,000 lb/ 2 months			
16	Dover sole					
17	large & small footrope gear	25,000 lb/ month	50,000 lb/ 2 months	35,000 lb/ 2 months		
18	selective flatfish trawl gear	10,000 lb/ month	28,000 lb/ 2 months			20,000 lb/ 2 months
19	multiple bottom trawl gear <sup>8/</sup>	10,000 lb/ month	28,000 lb/ 2 months			20,000 lb/ 2 months

**TABLE 3 (North)**

Table 3 (North). Continued

20	Flatfish (except Dover sole)				
21	Other flatfish <sup>3/</sup> , English sole & Petrale sole				
22	large & small footrope gear for Other flatfish <sup>3/</sup> & English sole	55,000 lb/ month	110,000 lb/ 2 months, no more than 30,000 lb/ 2 months of which may be petrale sole.		110,000 lb/ 2 months
23	large & small footrope gear for Petrale sole	30,000 lb/ month			60,000 lb/ 2 months
24	selective flatfish trawl gear for Other flatfish <sup>3/</sup> & English sole	45,000 lb/ month	90,000 lb/ 2 months, no more than 25,000 lb/ 2 months of which may be petrale sole.	90,000 lb/ 2 months, no more than 28,000 lb/ 2 months of which may be petrale sole.	90,000 lb/ 2 months
25	selective flatfish trawl gear for Petrale sole	12,500 lb/ month			25,000 lb/ 2 months
26	multiple bottom trawl gear <sup>8/</sup>	Other flatfish <sup>3/</sup> and English sole: 45,000 lb/ month Petrade sole: 12,500 lb/ month	90,000 lb/ 2 months, no more than 25,000 lb/ 2 months of which may be petrale sole.	90,000 lb/ 2 months, no more than 28,000 lb/ 2 months of which may be petrale sole.	Other flatfish <sup>3/</sup> and English sole: 90,000 lb/ 2 months Petrade sole: 25,000 lb/ 2 months
27	Arrowtooth flounder				
28	large & small footrope gear	50,000 lb/ month	100,000 lb/ 2 months		
29	selective flatfish trawl gear	40,000 lb/ month	80,000 lb/ 2 months		
30	multiple bottom trawl gear <sup>8/</sup>	40,000 lb/ month	80,000 lb/ 2 months		
31	Whiting				
32	midwater trawl	Before the primary whiting season: CLOSED -- During the primary season: mid-water trawl permitted in the RCA. See §660.373 for season and trip limit details. -- After the primary whiting season: CLOSED			
33	large & small footrope gear	Before the primary whiting season: 20,000 lb/trip -- During the primary season: 10,000 lb/trip - After the primary whiting season: 10,000 lb/trip			
34	Minor shelf rockfish <sup>1/</sup> , Shortbelly, Widow & Yelloweye rockfish				
35	midwater trawl for Widow rockfish	Before the primary whiting season: CLOSED -- 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. Mid-water trawl permitted in the RCA. See §660.373 for primary whiting season and trip limit details. -- After the primary whiting season: CLOSED			
36	large & small footrope gear	150 lb/ month	300 lb/ 2 months		
37	selective flatfish trawl gear	300 lb/ month	1,000 lb/ month, no more than 200 lb/ month of which may be yelloweye rockfish	300 lb/ month	
38	multiple bottom trawl gear <sup>8/</sup>	300 lb/ month	300 lb/ 2 months, no more than 200 lb/ month of which may be yelloweye rockfish	300 lb/ month	

TABLE 3 (North) cont

TABLE 3 (North) cont

Table 3 (North). Continued

TABLE 3 (North) cont

39	Canary rockfish				
40	large & small footrope gear	CLOSED			
41	selective flatfish trawl gear	100 lb/ month	300 lb/ month	100 lb/ month	
42	multiple bottom trawl gear <sup>B/</sup>	CLOSED			
43	Yellowtail				
44	midwater trawl	Before the primary whiting season: CLOSED -- During primary whiting season: In trips of at least 10,000 lb of whiting: combined widow and yellowtail limit of 500 lb/ trip, cumulative yellowtail limit of 2,000 lb/ month. Mid-water trawl permitted in the RCA. See §660.373 for primary whiting season and trip limit details. -- After the primary whiting season: CLOSED			
45	large & small footrope gear	150 lb/ month	300 lb/ 2 months		
46	selective flatfish trawl gear	1,000 lb/ month	2,000 lb/ 2 months		
47	multiple bottom trawl gear <sup>B/</sup>	150 lb/ month	300 lb/ 2 months		
48	Minor nearshore rockfish & Black rockfish				
49	large & small footrope gear	CLOSED			
50	selective flatfish trawl gear	300 lb/ month			
51	multiple bottom trawl gear <sup>B/</sup>	CLOSED			
52	Lingcod <sup>A/</sup>				
53	large & small footrope gear	600 lb/ month	1,200 lb/ 2 months		
54	selective flatfish trawl gear				
55	multiple bottom trawl gear <sup>B/</sup>				
56	Pacific cod	Not limited	30,000 lb/ 2 months	70,000 lb/ 2 months	30,000 lb/ 2 months
57	Spiny dogfish	Not limited	200,000 lb/ 2 months	150,000 lb/ 2 months	100,000 lb/ 2 months
58	Other Fish <sup>5/</sup>	Not limited			

TABLE 3 (North) cont

1/ Bocaccio, chilipepper and cowcod are included in the trip limits for minor shelf rockfish.

2/ Splitnose rockfish is included in the trip limits for minor slope rockfish.

3/ "Other flatfish" are defined at § 660.302 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, sand sole, and starry flounder.

4/ The minimum size limit for lingcod is 24 inches (61 cm) total length.

5/ "Other fish" are defined at § 660.302 and include sharks, skates, ratfish, morids, grenadiers, and kelp greenling.

Cabezon is included in the trip limits for "other fish."

6/ The Rockfish Conservation Area is a gear and/or sector specific closed area generally described by depth contours but specifically defined by lat/long coordinates set out at § 660.390.

7/ The "modified 200 fm" line is modified to exclude certain petrale sole areas from the RCA.

8/ If a vessel has both selective flatfish gear and large or small footrope gear on board during a cumulative limit period (either simultaneously or successively), the most restrictive cumulative limit for any gear on board during the cumulative limit period applies for the entire cumulative limit period.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

**Table 3 (South) to Part 660, Subpart G -- 2006 Trip Limits for Limited Entry Trawl Gear South of 40°10' N. Lat.****Other Limits and Requirements Apply -- Read § 660.301 - § 660.390 before using this table**

122005

Other Limits and Requirements Apply			JAN	FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
<b>Rockfish Conservation Area (RCA) <sup>6/</sup>:</b>									
40°10' - 38° N. lat.			75 fm - 150 fm		100 fm - 150 fm				75 fm - 150 fm
38° - 34°27' N. lat.			75 fm - 150 fm		100 fm - 150 fm				75 fm - 150 fm
South of 34°27' N. lat.			75 fm - 150 fm along the mainland coast; shoreline - 150 fm around islands		100 fm - 150 fm along the mainland coast; shoreline - 150 fm around islands				75 fm - 150 fm along the mainland coast; shoreline - 150 fm around islands
Small footrope gear is required shoreward of the RCA; all trawl gear (large footrope, midwater trawl, and small footrope gear) is permitted seaward of the RCA.									
See § 660.370 and § 660.381 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions. See §§ 660.390-660.394 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, and Cordell Banks).									
State trip limits may be more restrictive than federal trip limits, particularly in waters off Oregon and California.									
1	<b>Minor slope rockfish <sup>2/</sup> &amp; Darkblotched rockfish</b>								
2	40°10' - 38° N. lat.		4,000 lb/ month	8,000 lb/ 2 months					
3	South of 38° N. lat.		20,000 lb/ month	40,000 lb/ 2 months					
4	<b>Splitnose</b>								
5	40°10' - 38° N. lat.		4,000 lb/ month	8,000 lb/ 2 months					
6	South of 38° N. lat.		20,000 lb/ month	40,000 lb/ 2 months					
7	<b>DTS complex</b>								
8	Sablefish		8,500 lb/ month	17,000 lb/ 2 months					
9	Longspine thornyhead		9,500 lb / month	19,000 lb/ 2 months					
10	Shortspine thornyhead		2,450 lb/ month	4,900 lb/ 2 months					
11	Dover sole		25,000 lb/ month	50,000 lb/ 2 months	35,000 lb/ 2 months				
12	<b>Flatfish (except Dover sole)</b>								
13	<b>Other flatfish <sup>3/</sup> &amp; English sole</b>								
14	40°10' - 38° N. lat.		55,000 lb/ month	Other flatfish, English sole & Petrale sole: 110,000 lb/ 2 months, no more than 30,000 lb/ 2 months of which may be petrale sole.					110,000 lb/ 2 months
15	South of 38° N. lat.								
16	Petrale sole		30,000 lb/ month						

TABLE 3 (South)

Table 3 (South). Continued

17	Arrowtooth flounder				
18	40°10' - 38° N. lat.	5,000 lb/ month	10,000 lb/ 2 months		
19	South of 38° N. lat.				
20	Whiting				
21	midwater trawl	Before the primary whiting season: CLOSED -- During the primary season: mid-water trawl permitted in the RCA. See §660.373 for season and trip limit details. -- After the primary whiting season: CLOSED			
22	large & small footrope gear	Before the primary whiting season: 20,000 lb/trip -- During the primary season: 10,000 lb/trip - After the primary whiting season: 10,000 lb/trip			
23	Minor shelf rockfish <sup>1/</sup> , Chilipepper, Shortbelly, Widow, & Yelloweye rockfish				
24	large footrope or midwater trawl for Minor shelf rockfish & Shortbelly	300 lb/ month			
25	large footrope or midwater trawl for Chilipepper	1,000 lb/ months	2,000 lb/ 2 months	12,000 lb/ 2 months	8,000 lb/ 2 months
26	large footrope or midwater trawl for Widow & Yelloweye	CLOSED			
27	small footrope trawl	300 lb/ month			
28	Bocaccio				
29	large footrope or midwater trawl	150 lb/ month	300 lb/ 2 months		
30	small footrope trawl	CLOSED			
31	Canary rockfish				
32	large footrope or midwater trawl	CLOSED			
33	small footrope trawl	100 lb/ month	300 lb/ month	100 lb/ month	
34	Cowcod	CLOSED			
35	Minor nearshore rockfish & Black rockfish				
36	large footrope or midwater trawl	CLOSED			
37	small footrope trawl	300 lb/ month			
38	Lingcod <sup>4/</sup>				
39	large footrope or midwater trawl	600 lb/ month	1,200 lb/ 2 months		
40	small footrope trawl				
41	Pacific cod	Not limited	30,000 lb/ 2 months	70,000 lb/ 2 months	30,000 lb/ 2 months
42	Spiny dogfish	Not limited	200,000 lb/ 2 months	150,000 lb/ 2 months	100,000 lb/ 2 months
43	Other Fish <sup>5/</sup> & Cabezon	Not limited			

TABLE 3 (South) cont

TABLE 3 (South) con't

1/ Yellowtail is included in the trip limits for minor shelf rockfish.

2/ POP is included in the trip limits for minor slope rockfish

3/ "Other flatfish" are defined at § 660.302 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, sand sole, and starry flounder.

4/ The minimum size limit for lingcod is 24 inches (61 cm) total length.

5/ Other fish are defined at § 660.302 and include sharks, skates, ratfish, morids, grenadiers, and kelp greenling.

6/ The Rockfish Conservation Area is a gear and/or sector specific closed area generally described by depth contours but specifically defined by lat/long coordinates set out at § 660.390.

7/ The "modified 200 fm" line is modified to exclude certain petrale sole areas from the RCA.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

**Table 4 (North) to Part 660, Subpart G -- 2006 Trip Limits for Limited Entry Fixed Gear North of 40°10' N. Lat.****Other Limits and Requirements Apply -- Read § 660.301 - § 660.390 before using this table**

122005

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
<b>Rockfish Conservation Area (RCA) <sup>6/</sup> :</b>							
North of 46°16' N. lat.		shoreline - 100 fm					
46°16' N. lat. - 40°10' N. lat.		30 fm - 100 fm					
See § 660.370 and § 660.382 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions. See §§ 660.390-660.394 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, and Cordell Banks).							
State trip limits may be more restrictive than federal trip limits, particularly in waters off Oregon and California.							
1	Minor slope rockfish <sup>2/</sup> & Darkblotched rockfish	4,000 lb/ 2 months					
2	Pacific ocean perch	1,800 lb/ 2 months					
3	Sablefish	300 lb/ day, or 1 landing per week of up to 1,000 lb, not to exceed 5,000 lb/ 2 months					
4	Longspine thornyhead	10,000 lb/ 2 months					
5	Shortspine thornyhead	2,000 lb/ 2 months					
6	Dover sole	5,000 lb/ month					
7	Arrowtooth flounder	South of 42° N. lat., when fishing for "other flatfish," vessels using hook-and-line gear with no more than 12 hooks per line, using hooks no larger than "Number 2" hooks, which measure 11 mm (0.44 inches) point to shank, and up to 1 lb (0.45 kg) of weight per line are not subject to the RCAs.					
8	Petrale sole						
9	English sole						
10	Other flatfish <sup>1/</sup>						
11	Whiting	10,000 lb/ trip					
12	Minor shelf rockfish <sup>2/</sup> , Shortbelly, Widow, & Yellowtail rockfish	200 lb/ month					
13	Canary rockfish	CLOSED					
14	Yelloweye rockfish	CLOSED					
15	Minor nearshore rockfish & Black rockfish						
16	North of 42° N. lat.	5,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black or blue rockfish <sup>3/</sup>					
17	42° - 40°10' N. lat.	6,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black or blue rockfish <sup>3/</sup>					
18	Lingcod <sup>4/</sup>	CLOSED		800 lb/ 2 months			CLOSED
19	Pacific cod	Not limited	1,000 lb/ 2 months				
20	Spiny dogfish	Not limited	200,000 lb/ 2 months	150,000 lb/ 2 months	100,000 lb/ 2 months		
21	Other fish <sup>5/</sup>	Not limited					

TABLE 4 (North)

**TABLE 4 (North)**

1/ "Other flatfish" are defined at § 660.302 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, sand sole, and starry flounder.

2/ Bocaccio, chilipepper and cowcod are included in the trip limits for minor shelf rockfish and splitnose rockfish is included in the trip limits for minor slope rockfish.

3/ For black rockfish north of Cape Alava (48°09.50' N. lat.), and between Destruction Is. (47°40' N. lat.) and Leadbetter Pnt. (46°38.17' N. lat.), there is an additional limit of 100 lb or 30 percent by weight of all fish on board, whichever is greater, per vessel, per fishing trip.

4/ The minimum size limit for lingcod is 24 inches (61 cm) total length.

5/ "Other fish" are defined at § 660.302 and include sharks, skates, ratfish, morids, grenadiers, and kelp greenling. Cabezon is included in the trip limits for "other fish."

6/ The Rockfish Conservation Area is a gear and/or sector specific closed area generally described by depth contours but specifically defined by lat/long coordinates set out at § 660.390.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.



**Table 4 (South) to Part 660, Subpart G -- 2006 Trip Limits for Limited Entry Fixed Gear South of 40°10' N. Lat.****Other Limits and Requirements Apply -- Read § 660.301 - § 660.390 before using this table**

122005

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
<b>Rockfish Conservation Area (RCA)<sup>5/</sup>:</b>							
40°10' - 34°27' N. lat.		30 fm - 150 fm		20 fm - 150 fm		30 fm - 150 fm	
South of 34°27' N. lat.		60 fm - 150 fm (also applies around islands)					
See § 660.370 and § 660.382 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions. See §§ 660.390-660.394 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, and Cordell Banks).							
State trip limits may be more restrictive than federal trip limits, particularly in waters off Oregon and California.							
1	Minor slope rockfish <sup>2/</sup> & Darkblotched rockfish	40,000 lb/ 2 months					
2	Splitnose	40,000 lb/ 2 months					
3	Sablefish						
4	40°10' - 36° N. lat.	300 lb/ day, or 1 landing per week of up to 1,000 lb, not to exceed 5,000 lb/ 2 months					
5	South of 36° N. lat.	350 lb/ day, or 1 landing per week of up to 1,050 lb					
6	Longspine thornyhead	10,000 lb / 2 months					
7	Shortspine thornyhead	2,000 lb/ 2 months					
8	Dover sole	5,000 lb/ month					
9	Arrowtooth flounder	When fishing for "other flatfish," vessels using hook-and-line gear with no more than 12 hooks per line, using hooks no larger than "Number 2" hooks, which measure 11 mm (0.44 inches) point to shank, and up to 1 lb (0.45 kg) of weight per line are not subject to the RCAs.					
10	Petrale sole						
11	English sole						
12	Other flatfish <sup>1/</sup>						
13	Whiting	10,000 lb/ trip					
14	Minor shelf rockfish <sup>2/</sup> , Shortbelly, & Widow rockfish						
15	40°10' - 34°27' N. lat.	300 lb/ 2 months	CLOSED	200 lb/ 2 months	300 lb/ 2 months		
16	South of 34°27' N. lat.	3,000 lb/ 2 months					
17	Chilipepper rockfish	2,000 lb/ 2 months, this opportunity only available seaward of the nontrawl RCA					
18	Canary rockfish	CLOSED					
19	Yelloweye rockfish	CLOSED					
20	Cowcod	CLOSED					
21	Bocaccio						
22	40°10' - 34°27' N. lat.	200 lb/ 2 months	CLOSED	100 lb/ 2 months	300 lb/ 2 months		
23	South of 34°27' N. lat.	300 lb/ 2 months		300 lb/ 2 months			
24	Minor nearshore rockfish & Black rockfish						
25	Shallow nearshore	300 lb/ 2 months	CLOSED	500 lb/ 2 months	600 lb/ 2 months	500 lb/ 2 months	300 lb/ 2 months
26	Deeper nearshore						
27	40°10' - 34°27' N. lat.	500 lb/ 2 months	CLOSED	500 lb/ 2 months		400 lb/ 2 months	500 lb/ 2 months
28	South of 34°27' N. lat.			600 lb/ 2 months			400 lb/ 2 months
29	California scorpionfish	300 lb/ 2 months	CLOSED	300 lb/ 2 months	400 lb/ 2 months		300 lb/ 2 months

**TABLE 4 (South)**

Table 4 (South). Continued

30	Lingcod <sup>3/</sup>	CLOSED	800 lb/ 2 months	CLOSED	
31	Pacific cod	Not limited	1,000 lb/ 2 months		
32	Spiny dogfish	Not limited	200,000 lb/ 2 months	150,000 lb/ 2 months	100,000 lb/ 2 months
33	Other fish <sup>4/</sup> & Cabezon	Not limited			

1/ "Other flatfish" are defined at § 660.302 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, sand sole, and starry flounder.

2/ POP is included in the trip limits for minor slope rockfish. Yellowtail is included in the trip limits for minor shelf rockfish.

3/ The minimum size limit for lingcod is 24 inches (61 cm) total length.

4/ "Other fish" are defined at § 660.302 and include sharks, skates, ratfish, morids, grenadiers, and kelp greenling.

5/ The Rockfish Conservation Area is a gear and/or sector specific closed area generally described by depth contours but specifically defined by lat/long coordinates set out at § 660.390.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

Table 5 (North) to Part 660, Subpart G -- 2006 Trip Limits for Open Access Gears North of 40°10' N. Lat.

Other Limits and Requirements Apply -- Read § 660.301 - § 660.390 before using this table

122005

Other Limits and Requirements Apply - Read § 660.370 - § 660.394 before using this table		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
<b>Rockfish Conservation Area (RCA) <sup>6/</sup>:</b>							
North of 46°16' N. lat.		shoreline - 100 fm					
46°16' N. lat. - 40°10' N. lat.		30 fm - 100 fm					
See § 660.370 and § 660.383 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions. See §§ 660.390-660.394 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, and Cordell Banks).							
State trip limits may be more restrictive than federal trip limits, particularly in waters off Oregon and California.							
1	Minor slope rockfish <sup>1/</sup> & Darkblotched rockfish	Per trip, no more than 25% of weight of the sablefish landed					
2	Pacific ocean perch	100 lb/ month					
3	Sablefish	300 lb/ day, or 1 landing per week of up to 1,000 lb, not to exceed 5,000 lb/ 2 months					
4	Thornyheads	CLOSED					
5	Dover sole	3,000 lb/month, no more than 300 lb of which may be species other than Pacific sanddabs. South of 42° N. lat., when fishing for "other flatfish," vessels using hook-and-line gear with no more than 12 hooks per line, using hooks no larger than "Number 2" hooks, which measure 11 mm (0.44 inches) point to shank, and up to 1 lb (0.45 kg) of weight per line are not subject to the RCAs.					
6	Arrowtooth flounder						
7	Petrale sole						
8	English sole						
9	Other flatfish <sup>2/</sup>						
10	Whiting	300 lb/ month					
11	Minor shelf rockfish <sup>1/</sup> , Shortbelly, Widow, & Yellowtail rockfish	200 lb/ month					
12	Canary rockfish	CLOSED					
13	Yelloweye rockfish	CLOSED					
14	Minor nearshore rockfish & Black rockfish						
15	North of 42° N. lat.	5,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black or blue rockfish <sup>3/</sup>					
16	42° - 40°10' N. lat.	6,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black or blue rockfish <sup>3/</sup>					
17	Lingcod <sup>4/</sup>	CLOSED		300 lb/ month		CLOSED	
18	Pacific cod	Not limited	1,000 lb/ 2 months				
19	Spiny dogfish	Not limited	200,000 lb/ 2 months	150,000 lb/ 2 months	100,000 lb/ 2 months		
20	Other Fish <sup>5/</sup>	Not limited					
21	PINK SHRIMP NON-GROUNDFISH TRAWL (not subject to RCAs)						
22	North	Effective April 1 - October 31: groundfish 500 lb/day, multiplied by the number of days of the trip, not to exceed 1,500 lb/trip. The following sublimits also apply and are counted toward the overall 500 lb/day and 1,500 lb/trip groundfish limits: lingcod 300 lb/month (minimum 24 inch size limit); sablefish 2,000 lb/month; canary, thornyheads and yelloweye rockfish are PROHIBITED. All other groundfish species taken are managed under the overall 500 lb/day and 1,500 lb/trip groundfish limits. Landings of these species count toward the per day and per trip groundfish limits and do not have species-specific limits. The amount of groundfish landed may not exceed the amount of pink shrimp landed.					
23	SALMON TROLL						
24	North	Salmon trollers may retain and land up to 1 lb of yellowtail rockfish for every 2 lbs of salmon landed, with a cumulative limit of 200 lb/month, both within and outside of the RCA. This limit is within the 200 lb per month combined limit for minor shelf rockfish, widow rockfish and yellowtail rockfish, and not in addition to that limit. All groundfish species are subject to the open access limits, seasons and RCA restrictions listed in the table above.					

TABLE 5 (North)

TABLE 5 (North)

1/ Bocaccio, chilipepper and cowcod rockfishes are included in the trip limits for minor shelf rockfish.

Splitnose rockfish is included in the trip limits for minor slope rockfish.

2/ "Other flatfish" are defined at § 660.302 and include butter sole, curfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, sand sole, and starry flounder.

3/ For black rockfish north of Cape Alava (48°09.50' N. lat.), and between Destruction Is. (47°40' N. lat.) and Leadbetter Pnt. (46°38.17' N. lat.), there is an additional limit of 100 lbs or 30 percent by weight of all fish on board, whichever is greater, per vessel, per fishing trip.

4/ The size limit for lingcod is 24 inches (61 cm) total length.

5/ "Other fish" are defined at § 660.302 and include sharks, skates, rattfish, morids, grenadiers, and kelp greenling.

Cabezon is included in the trip limits for "other fish."

6/ The Rockfish Conservation Area is a gear and/or sector specific closed area generally described by depth contours but specifically defined by lat/long coordinates set out at § 660.390.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

Table 5 (South) to Part 660, Subpart G -- 2006 Trip Limits for Open Access Gears South of 40°10' N. Lat.

Other Limits and Requirements Apply -- Read § 660.301 - § 660.390 before using this table

122005

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
<b>Rockfish Conservation Area (RCA)<sup>5/</sup> :</b>							
40°10' - 34°27' N. lat.		30 fm - 150 fm		20 fm - 150 fm		30 fm - 150 fm	
South of 34°27' N. lat.		60 fm - 150 fm (also applies around islands)					
See § 660.370 and § 660.383 for Additional Gear, Trip Limit, and Conservation Area Requirements and Restrictions.							
See §§ 660.390-660.394 for Conservation Area Descriptions and Coordinates (including RCAs, YRCA, CCAs, Farallon Islands, and Cordell Banks).							
State trip limits may be more restrictive than federal trip limits, particularly in waters off Oregon and California.							
1	Minor slope rockfish <sup>1/</sup> & Darkblotched rockfish						
2	40°10' - 38° N. lat.	Per trip, no more than 25% of weight of the sablefish landed					
3	South of 38° N. lat.	10,000 lb/ 2 months					
4	Splitnose	200 lb/ month					
5	Sablefish						
6	40°10' - 36° N. lat.	300 lb/ day, or 1 landing per week of up to 1,000 lb, not to exceed 5,000 lb/ 2 months					
7	South of 36° N. lat.	350 lb/ day, or 1 landing per week of up to 1,050 lb					
8	Thornyheads						
9	40°10' - 34°27' N. lat.	CLOSED					
10	South of 34°27' N. lat.	50 lb/ day, no more than 1,000 lb/ 2 months					
11	Dover sole	3,000 lb/month, no more than 300 lb of which may be species other than Pacific sanddabs. When fishing for "other flatfish," vessels using hook-and-line gear with no more than 12 hooks per line, using hooks no larger than "Number 2" hooks, which measure 11 mm (0.44 inches) point to shank, and up to 1 lb of weight per line are not subject to the RCAs.					
12	Arrowtooth flounder						
13	Petrale sole						
14	English sole						
15	Other flatfish <sup>2/</sup>						
16	Whiting	300 lb/ month					
17	Minor shelf rockfish <sup>1/</sup> , Shortbelly, Widow & Chilipepper rockfish						
18	40°10' - 34°27' N. lat.	300 lb/ 2 months	CLOSED	200 lb/ 2 months		300 lb/ 2 months	
19	South of 34°27' N. lat.	750 lb/ 2 months					
20	Canary rockfish	CLOSED					
21	Yelloweye rockfish	CLOSED					
22	Cowcod	CLOSED					
23	Bocaccio						
24	40°10' - 34°27' N. lat.	200 lb/ 2 months	CLOSED	100 lb/ 2 months		200 lb/ 2 months	
25	South of 34°27' N. lat.	100 lb/ 2 months		100 lb/ 2 months			
26	Minor nearshore rockfish & Black rockfish						
27	Shallow nearshore	300 lb/ 2 months	CLOSED	500 lb/ 2 months	600 lb/ 2 months	500 lb/ 2 months	300 lb/ 2 months
28	Deeper nearshore						
29	40°10' - 34°27' N. lat.	500 lb/ 2 months	CLOSED	500 lb/ 2 months		400 lb/ 2 months	500 lb/ 2 months
30	South of 34°27' N. lat.			600 lb/ 2 months			400 lb/ 2 months
31	California scorpionfish	300 lb/ 2 months	CLOSED	300 lb/ 2 months	400 lb/ 2 months		300 lb/ 2 months

TABLE 5 (South)

Table 5 (South). Continued

32	Lingcod <sup>3/</sup>	CLOSED		300 lb/ month, when nearshore open	CLOSED
33	Pacific cod	Not limited	1,000 lb/ 2 months		
34	Spiny dogfish	Not limited	200,000 lb/ 2 months	150,000 lb/ 2 months	100,000 lb/ 2 months
35	Other Fish <sup>4/</sup> & Cabezon	Not limited			
36	PINK SHRIMP NON-GROUNDFISH TRAWL GEAR (not subject to RCAs)				
37	South	Effective April 1 - October 31: Groundfish 500 lb/day, multiplied by the number of days of the trip, not to exceed 1,500 lb/trip. The following sublimits also apply and are counted toward the overall 500 lb/day and 1,500 lb/trip groundfish limits: lingcod 300 lb/ month (minimum 24 inch size limit); sablefish 2,000 lb/ month; canary, thornyheads and yelloweye rockfish are PROHIBITED. All other groundfish species taken are managed under the overall 500 lb/day and 1,500 lb/trip groundfish limits. Landings of these species count toward the per day and per trip groundfish limits and do not have species-specific limits. The amount of groundfish landed may not exceed the amount of pink shrimp landed.			
38	RIDGEBACK PRAWN AND, SOUTH OF 38°57.50' N. LAT., CA HALIBUT AND SEA CUCUMBER NON-GROUNDFISH TRAWL				
39	NON-GROUNDFISH TRAWL Rockfish Conservation Area (RCA) for CA Halibut and Sea Cucumber:				
40	40°10' - 38° N. lat.	75 fm - modified 200 fm <sup>7/</sup>	100 fm - 200 fm	100 fm - 150 fm	75 fm - 150 fm
41	38° - 34°27' N. lat.	75 fm - 150 fm	100 fm - 150 fm		
42	South of 34°27' N. lat.	75 fm - 150 fm along the mainland coast; shoreline - 150 fm around islands	100 fm - 150 fm along the mainland coast; shoreline - 150 fm around islands		75 fm - 150 fm along the mainland coast; shoreline - 150 fm around islands
43	NON-GROUNDFISH TRAWL Rockfish Conservation Area (RCA) for Ridgeback Prawn:				
44	40°10' - 38° N. lat.	75 fm - modified 200 fm <sup>7/</sup>	100 fm - 200 fm	100 fm - 150 fm	75 fm - 150 fm
45	38° - 34°27' N. lat.	75 fm - 150 fm	100 fm - 150 fm		
46	South of 34°27' N. lat.	100 fm - 150 fm along the mainland coast; shoreline - 150 fm around islands			
47		Groundfish 300 lb/trip. Trip limits in this table also apply and are counted toward the 300 lb groundfish per trip limit. The amount of groundfish landed may not exceed the amount of the target species landed, except that the amount of spiny dogfish landed may exceed the amount of target species landed. Spiny dogfish are limited by the 300 lb/trip overall groundfish limit. The daily trip limits for sablefish coastwide and thornyheads south of Pt. Conception and the overall groundfish "per trip" limit may not be multiplied by the number of days of the trip. Vessels participating in the California halibut fishery south of 38°57'30" N. lat. are allowed to (1) land up to 100 lb/day of groundfish without the ratio requirement, provided that at least one California halibut is landed and (2) land up to 3,000 lb/month of flatfish, no more than 300 lb of which may be species other than Pacific sanddabs, sand sole, starry flounder, rock sole, curlfin sole, or California scorpionfish (California scorpionfish is also subject to the trip limits and closures in line 31).			

TABLE 5 (South) cont

TABLE 5 (South) cont

1/ Yellowtail rockfish is included in the trip limits for minor shelf rockfish and POP is included in the trip limits for minor slope rockfish.

2/ "Other flatfish" are defined at § 660.302 and include butter sole, curlfin sole, flathead sole, Pacific sanddab, rex sole, rock sole, sand sole, and starry flounder.

3/ The size limit for lingcod is 24 inches (61 cm) total length.

4/ "Other fish" are defined at § 660.302 and include sharks, skates, ratfish, morids, grenadiers, and kelp greenling.

5/ The Rockfish Conservation Area is a gear and/or sector specific closed area generally described by depth contours but specifically defined by lat/long coordinates set out at § 660.390.

6/ The "modified 200 fm" line is modified to exclude certain petrale sole areas from the RCA.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.