

(v) § 234.219 (Gate arm lights and light cable);
 (vi) § 234.221 (Lamp voltage);
 (vii) § 234.223 (Gate arm);
 (viii) § 234.225 (Activation of warning system);

(ix) § 234.227 (Train detection apparatus)—if a train detection circuit is employed to determine the train's presence;

(x) § 234.229 (Shunting sensitivity)—if a conventional track circuit is employed;

(xi) § 234.231 (Fouling wires)—if a conventional train detection circuit is employed;

(xii) § 234.233 (Rail joints)—if a track circuit is employed;

(xiii) § 234.235 (Insulated rail joints)—if a track circuit is employed;

(xiv) § 234.237 (Reverse switch cut-out circuit); or

(xv) § 234.245 (Signs).

(e) *Separate justification for other than fail-safe design.* Deviation from the requirement of § 234.203 (Control circuits) that circuits be designed on a fail-safe principle must be separately justified at the component, subsystem, and system level using the criteria of § 236.909 of this chapter.

(f) *Software management control for certain systems not subject to a performance standard.* Any processor-based system, subsystem, or component subject to this part, which is not subject to the requirements of part 236, subpart H of this chapter but which provides safety-critical data to a signal or train control system shall be included in the software management control plan requirements as specified in § 236.18 of this chapter.

PART 236—[AMENDED]

■ 3. The authority citation for part 236 continues to read as follows:

Authority: 49 U.S.C. 20103, 20107, 20501–20505; 28 U.S.C. 2461, note; and 49 CFR 1.49.

■ 4. Amend § 236.913 by revising paragraph (c)(1) to read as follows:

§ 236.913 Filing and approval of PSPs.

* * * * *

(c) * * *

(1) Not less than 180 days prior to planned use of the product in revenue service as described in the PSP or PSP amendment, the railroad shall submit an informational filing to the Associate Administrator for Safety, FRA, 1120 Vermont Avenue, NW., Mail Stop 25, Washington, DC 20590. The informational filing must provide a summary description of the PSP or PSP amendment, including the intended use of the product, and specify the location

where the documentation as described in § 236.917(a)(1) is maintained.

* * * * *

Issued in Washington, DC on November 17, 2005.

Joseph H. Boardman,

Administrator, Federal Railroad Administration.

[FR Doc. 05–23571 Filed 12–2–05; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 040830250–5062–03; I.D. 112305B]

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

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

ACTION: Inseason adjustments to management measures; request for comments.

SUMMARY: NMFS announces changes to management measures in the commercial and recreational Pacific Coast groundfish fisheries. These actions, which are authorized by the Pacific Coast Groundfish Fishery Management Plan (FMP), will allow fisheries to access more abundant groundfish stocks while protecting overfished and depleted stocks.

DATES: Effective 0001 hours (local time) December 1, 2005. Comments on this rule will be accepted through January 4, 2006.

ADDRESSES: You may submit comments, identified by I.D. number 112305B by any of the following methods:

- E-mail:

GroundfishInseason5.nwr@noaa.gov. Include I.D. number 112305B in the subject line of the message.

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

- Fax: 206–526–6736, Attn: Carrie Nordeen.

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

FOR FURTHER INFORMATION CONTACT: Carrie Nordeen (Northwest Region,

NMFS), phone: 206–526–6144; fax: 206–526–6736; and e-mail:

carrie.nordeen@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 Fishery Management Council's website at: *www.pcouncil.org.*

Background

The Pacific Coast Groundfish Fishery Management Plan (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 Fishery Management Council (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 optimum yields (OYs) are established for each year. Management measures are established at the start of the biennial period, and adjusted throughout the biennial management period, to keep harvest within the OYs. At the Pacific Council's October 30 - November 4, 2005, meeting in San Diego, California, 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. Because the revised management measures for December 2005 and January and February 2006 must be implemented quickly, these adjustments are being implemented in this final rule. The management measures for the remainder of 2006 (March - December) will be implemented through a notice and comment rulemaking, projected to be effective by March 1, 2006.

The following changes to current groundfish management measures for December 2005 through February 2006 were recommended by the Pacific Council, in consultation with the Pacific Coast Treaty Indian Tribes and the States of Washington, Oregon, and California, at its October 30 - November 4, 2005, meeting. For December 2005, the adjustments recommended by the Pacific Council are as follows: prohibition on taking and retaining, possessing, or landing of minor slope rockfish, splitnose rockfish, and petrale sole in the limited entry bottom trawl fisheries; Federal regulations for recreational management measures off Oregon that conform with the State of Oregon's management measures; and adjustments to recreational management measures off California.

For January and February 2006, adjustments recommended by the Pacific Council are as follows: adjustments to limited entry and open access cumulative limits for the sablefish daily trip limit (DTL) fishery north of 36° N. lat.; adjustments to limited entry trawl cumulative limits for sablefish, thornyheads, Dover sole, other flatfish, petrale sole, arrowtooth flounder, slope rockfish, splitnose rockfish, and lingcod; 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°00' N. lat. and 40°10' N. lat.; adjustments to the trawl Rockfish Conservation Area (RCA) boundaries; and adjustments to recreational management measures.

Limited Entry Trawl Fisheries in 2005

The GMT reviewed Pacific Fisheries Information Network (PacFIN) Quota Species Monitoring (QSM) data through October 22, 2005, and noted that the catch of petrale sole was 2,783 mt (2,685 mt of landed catch plus 98 mt of discard). This level of harvest is 0.8 percent above petrale sole's 2005 ABC/OY of 2,762 mt. Because the FMP defines overfishing as exceeding the ABC, the petrale sole stock is now thought to be subject to overfishing in 2005. To prevent continued overfishing, the GMT considered management

measures that would curtail further catch of petrale sole through the end of the year. Unfortunately, there appear to be no additional management measures available to completely eliminate catch of petrale sole. Inseason management measures designed to slow the catch of petrale sole that were implemented in October (70 FR 58066, October 5, 2005), such as limited entry trawl cumulative limit reductions and moving the trawl RCA into deeper water, should substantially reduce petrale sole catch for the remainder of the year.

In order to identify the conservation risk to the petrale sole stock resulting from allowing fisheries with petrale bycatch to continue in December, the GMT reviewed historical PacFIN petrale sole annual landings data by fishery. These data show that through the remainder of the year, the limited entry bottom trawl fishery operating seaward of the trawl RCA is expected to result in the highest petrale sole mortality relative to other fisheries. Only trace amounts of petrale sole catch are anticipated in the limited entry and open access fixed gear fisheries coastwide, open access trawl fisheries off California, and limited entry trawl fisheries shoreward of the trawl RCA south of 36° N. lat.

Under current management measures, the GMT anticipates an additional 5 mt - 10 mt (or an additional 0.2 percent - 0.35 percent over petrale sole's ABC/OY) of non-tribal petrale sole catch will be taken by the limited entry bottom trawl fishery in November and December. With this additional non-tribal catch, the catch of petrale sole in 2005 is predicted to exceed the petrale sole ABC by 0.9 percent 1.1 percent. The tribal bottom trawl fishery, which opens November 1, 2005, could potentially harvest an additional 20 mt - 30 mt of petrale sole. This year's higher than anticipated catch of petrale sole is particularly unexpected, given that the catch of petrale sole has been substantially less than its ABC for the past several years. For example, in 2004, the landed catch of petrale sole was 1,961 mt within an ABC of 2,762 mt. In 2003 and 2002, the total catch of petrale sole was 2,161 mt and 1,965 mt, respectively, each within an ABC of 2,762 mt.

When the Pacific Council was deliberating how to curtail additional catch of petrale sole for 2005, they considered closing several fisheries for the remainder of the year. The closure, however, would not be able to be implemented until December. The expectation of a total fishery closure would likely result in a race for fish during November, potentially increasing

the mortality of petrale sole above what would otherwise occur if the fishery were to remain open.

Of the winter limited entry trawl fisheries, the petrale sole and slope rockfish fisheries are prosecuted on hard bottom substrate while the DTS (Dover sole, thornyhead, sablefish) fishery occurs on muddy, soft bottom substrate. Because these fisheries are geographically distinct, maintaining the DTS fishery through the end of 2005 is predicted to result in minimal additional catch of petrale sole (5 - 10 mt). Therefore, instead of closing the entire fishery and starting a race for fish, the Pacific Council recommended that the DTS fishery continue under currently scheduled management measures designed to slow the trawl harvest for the remainder of 2005, but that the retention of petrale sole, slope rockfish, and splitnose rockfish be prohibited coastwide for the remainder of the year. NMFS concurs with the Pacific Council's recommendation and is implementing the following adjustments to limited entry trawl management measures: (1) North of 40°10' N. lat., decrease limited entry trawl minor slope and darkblotched rockfish cumulative limits from 4,000 lb (1,814 kg) per 2 months to closed (meaning that taking and retaining, possessing, or landing is prohibited), (2) North of 40°10' N. lat., decrease limited entry trawl petrale sole cumulative sub-limit from 2,000 lb (907 kg) per 2 months to closed, (3) Between 40°10' N. lat. and 38° N. lat., decrease limited entry trawl minor slope rockfish and splitnose rockfish cumulative limits from 6,000 lb (2,722 kg) per 2 months to closed, (4) South of 38° N. lat., decrease limited entry trawl minor slope rockfish and splitnose rockfish cumulative limits from 40,000 lb (18,144 kg) per 2 months to closed, and (5) South of 40°10' N. lat., decrease limited entry trawl petrale sole cumulative limit from 2,000 lb (907 kg) per 2 months to closed.

Oregon and California Recreational Groundfish Fisheries in 2005

Due to projected attainment of Oregon's recreational black rockfish harvest guideline, the Oregon Department of Fish and Wildlife (ODFW) took action on October 18, 2005, to close recreational groundfish fishing in the ocean and estuary boat fisheries shoreward of the recreational RCA boundary that approximates the 40-fm (73-m) depth contour and to prohibit retention of black rockfish in both the ocean and estuary boat fisheries at any depth for the remainder of 2005. Shore-based fisheries (angling

from jetties, beaches, rock formations, or piers, and divers originating from shore) remain open for the remainder of 2005. The Pacific Council recommended that Federal regulations conform to ODFW's October inseason action. NMFS concurs with this recommendation and is implementing similar regulations with this inseason action for the remainder of 2005.

Management measures for recreational fisheries off California 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 regulations prohibit fishing seaward of the 20-fm (37-m) depth contour for July through December. NMFS inadvertently missed this recommendation for December in the May inseason action (70 FR 23040, May 4, 2005) and, therefore, Federal regulations implemented a recreational RCA extending from the shoreline through the EEZ during December. With this notice, NMFS will adjust 2005 Federal regulations regarding seasonality of the recreational RCA for the area between 40°10' N. lat. and 36° N. lat. as follows: 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).

Limited Entry Trawl Fisheries in 2006

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 4 months of data (January – April 2005) 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. The management measures for January and February are being implemented in this rule.

Of note, the GMT proposed splitting the Period 1 cumulative limits (those for January and February) into two, 1-month cumulative limits. This cumulative limit adjustment accomplishes several goals. It is the Pacific Council's and NMFS's intent to

begin 2006 with conservative enough management measures to avoid drastic harvest reductions and/or closures in the later part of the year. Additionally, there is a possibility that groundfish biennial management measures for 2007 – 2008 may not be in place by January, 1, 2007, and if that is the case, management in 2007 will continue under 2006 management measures until the biennial 2007 – 2008 management measures become effective. Should this occur, conservative management measures for January and February of 2006 would facilitate implementing any harvest reductions that may be necessary in 2007. In summary, splitting Period 1 into separate cumulative limits for January and February should be conservative enough to promote year round fishing opportunities in 2006, should accommodate any reductions to 2007 OYs for managed species, and should allow flexibility to adjust limits in February 2007 if necessary.

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, together with measures to be proposed for the remainder of 2006, are projected to keep harvest within the OYs. NMFS concurs with this recommendation; therefore, adjusted cumulative limits for these species during January and February 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.

Petrable Sole

In order to avoid exceeding the petrale sole ABC in 2006 and to promote year round fishing opportunities, the Pacific Council recommended establishing cumulative limits in the bottom trawl fishery during Period 1 (January – February). In the past, petrale sole landings were not limited during this period. NMFS concurs with this recommendation. Therefore, north of 40°10' N. lat., limited entry trawl large and small footrope limits are 30,000 lb (13,608 kg) per month in both January and February. North of 40°10' N. lat., limited entry selective flatfish trawl limits are 12,500 lb (5,670 kg) per month in both January and February. South of 40°10' N. lat., limited entry trawl limits are 30,000 lb (13,608 kg) per month in both January and February.

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 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 month 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 is limited at depths greater than 200-fm (366-m). Alternatively, slope and splitnose rockfish cumulative limits of 4,000 lb (1,814 kg) per month 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 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 will be increased from 4,000 (1,814 kg) per 2 months to 4,000 lb (1,814 kg) per month and the seaward trawl RCA boundary will 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. during January and February. 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

The GMT reviewed available catch and discard information pertaining to lingcod in the limited entry bottom trawl fishery. 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 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 600 lb (272 kg) per month coastwide for all gear types during January and February. NMFS concurs with this recommendation and is implementing this adjustment with this inseason action.

Limited Entry Fixed Gear and Open Access Fisheries in 2006

Limited Entry Fixed Gear and Open Access 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 2-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 implementing 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 at the start of 2006. Therefore, the Pacific Council recommended and NMFS is implementing 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 implementing 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.

Recreational Groundfish Fisheries in 2006

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. (46°38.17' N. lat.), WA, as 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). As 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 is 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 is 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 eight fish to five 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 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 implementing 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 excludes salmonids, hybrid bass, and offshore pelagic species.

Classification

These actions are authorized by the FMP and implementing regulations and are 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.

Pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment, as notice and comment would be impracticable and contrary to the public interest. The data upon which these recommendations were based were provided to the Pacific Council, and the Pacific Council made its recommendations at its October 30 - November 4, 2005, meeting in San Diego, CA. There was not sufficient time after that meeting to draft this document and undergo proposed and final rulemaking before these actions need to be in effect, December 1, 2005, as explained below. For the actions in this notice, prior notice and opportunity for comment would be impracticable and contrary to the public interest because affording the time necessary for prior notice and opportunity for public comment would impede the Agency's function of managing fisheries using the best available science to approach without exceeding the OYs for federally managed species. The adjustments to management measures in this document include changes to the commercial and

recreational groundfish fisheries. As of October 2005, the total catch (landing plus discard) of petrale sole had exceeded its 2005 ABC/OY. Changes to the limited entry trawl fisheries must be implemented in a timely manner by December 1, 2005, to curtail additional catch of petrale sole. Changes to management measures for recreational fisheries off Oregon and California need to be implemented as soon as possible in order to conform Federal and state recreational regulations and provide recreational fishing opportunities. Inseason adjustments for commercial and recreational fisheries for January and February of 2006 need to be implemented in a timely manner to protect overfished groundfish species while keeping the harvest of other groundfish species within the harvest levels projected for 2006. For some species, such as Dover sole, thornyheads, sablefish, slope and splitnose rockfish, shelf and shortbelly rockfish, nearshore and black rockfish, and lingcod, cumulative limits must be raised in a timely manner to allow fisheries access to healthy stocks, when possible, or to reduce discard. For other species, such as petrale sole, cumulative limits must be lowered to keep harvest within OYs and ensure year round fisheries. For these reasons, good cause also exists to waive the 30 day delay in effectiveness requirement under 5 U.S.C. 553 (d)(3) for all actions taken in this action.

These actions are taken under the authority of 50 CFR 660.370(c) and are exempt from review under 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 29, 2005.

Anne M. Lange,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

■ For the reasons set out in the preamble, 50 CFR part 660 is 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 § 660.384, paragraphs (c)(1)(i)(B), (c)(2)(i) and (iii), and (c)(3)(i)(A)(2) 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 notification 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.

* * * *

(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. From December 1 through December 31, 2005, recreational fishing for groundfish in the ocean boat fishery is prohibited shoreward of a recreational RCA boundary line approximating the 40-fm (73-m) depth contour (i.e., shore-based fisheries (angling from jetties, beaches, rock formations, or piers, and divers originating from shore) are open). 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. From October 18, 2005, through December 31, 2005, taking and retaining black rockfish in the ocean boat fishery is prohibited.

* * * *

(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.

* * * *

■ 3. 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:

BILLING CODE 3510-22-S

Table 3 (North) to Part 660, Subpart G -- 2005-2006 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**

112005

	JAN	FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)^{6/}:							
North of 40°10' N. lat.	75 fm - modified 200 fm ^{7/}		100 fm - 200 fm			shoreline - 250 fm	
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 ^{2/} & Darkblotched rockfish	2,000 lb/ month		4,000 lb/ 2 months				CLOSED
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	9,500 lb/ 2 months	17,000 lb/ 2 months	18,000 lb/ 2 months		11,000 lb/ 2 months	
6 selective flatfish trawl gear	2,500 lb/ month	10,000 lb/ 2 months		15,000 lb/ 2 months		11,000 lb/ 2 months	
7 multiple bottom trawl gear ^{8/}	2,500 lb/ month	9,500 lb/ 2 months	10,000 lb/ 2 months	15,000 lb/ 2 months		11,000 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			7,000 lb/ 2 months	
10 selective flatfish trawl gear	1,500 lb/ month	1,000 lb/ 2 months		8,000 lb/ 2 months		7,000 lb/ 2 months	
11 multiple bottom trawl gear ^{8/}	1,500 lb/ month	1,000 lb/ 2 months		8,000 lb/ 2 months		7,000 lb/ 2 months	
12 Shortspine thornyhead							
13 large & small footrope gear	2,000 lb/ month	3,500 lb/ 2 months	4,900 lb/ 2 months	5,200 lb/ 2 months		3,500 lb/ 2 months	
14 selective flatfish trawl gear	1,500 lb/ month	1,000 lb/ 2 months	3,000 lb/ 2 months	4,000 lb/ 2 months		3,500 lb/ 2 months	
15 multiple bottom trawl gear ^{8/}	1,500 lb/ month	1,000 lb/ 2 months	3,000 lb/ 2 months	4,000 lb/ 2 months		3,500 lb/ 2 months	
16 Dover sole							
17 large & small footrope gear	25,000 lb/ month	69,000 lb/ 2 months	30,000 lb/ 2 months		35,000 lb/ 2 months	20,000 lb/ 2 months	
18 selective flatfish trawl gear	10,000 lb/ month	35,000 lb/ 2 months	35,000 lb/ 2 months			20,000 lb/ 2 months	
19 multiple bottom trawl gear ^{8/}	10,000 lb/ month	35,000 lb/ 2 months	30,000 lb/ 2 months		35,000 lb/ 2 months	20,000 lb/ 2 months	

TABLE 3 (North)

Table 3 (North). Continued

20	Flatfish (except Dover sole)					
21	Other flatfish ^{3/} , English sole & Petrale sole					
22	large & small footrope gear for Other flatfish ^{3/} & English sole	55,000 lb/ month	110,000 lb/ 2 months, no more than 42,000 lb/ 2 months of which may be petrale sole.	110,000 lb/ 2 months, no more than 40,000 lb/ 2 months of which may be petrale sole.	30,000 lb/ 2 months, no more than 2,000 lb/ 2 months of which may be petrale sole.	30,000 lb/ 2 months, retention of petrale sole is prohibited.
23	large & small footrope gear for Petrale sole	30,000 lb/ month				
24	selective flatfish trawl gear	Other flatfish ^{3/} and English sole: 45,000 lb/ month Petrade sole: 12,500 lb/ month	100,000 lb/ 2 months, no more than 35,000 lb/ 2 months of which may be petrale sole.	90,000 lb/ 2 months, no more than 35,000 lb/ 2 months of which may be petrale sole.	30,000 lb/ 2 months, no more than 2,000 lb/ 2 months of which may be petrale sole.	30,000 lb/ 2 months, retention of petrale sole is prohibited.
25	multiple bottom trawl gear ^{8/}	Other flatfish ^{3/} and English sole: 45,000 lb/ month Petrade sole: 12,500 lb/ month	100,000 lb/ 2 months, no more than 35,000 lb/ 2 months of which may be petrale sole.	90,000 lb/ 2 months, no more than 35,000 lb/ 2 months of which may be petrale sole.	30,000 lb/ 2 months, no more than 2,000 lb/ 2 months of which may be petrale sole.	30,000 lb/ 2 months, retention of petrale sole is prohibited.
26	Arrowtooth flounder					
27	large & small footrope gear	50,000 lb/ month	150,000 lb/ 2 months		50,000 lb/ 2 months	
28	selective flatfish trawl gear	40,000 lb/ month	70,000 lb/ 2 months		50,000 lb/ 2 months	
29	multiple bottom trawl gear ^{8/}	40,000 lb/ month	70,000 lb/ 2 months		50,000 lb/ 2 months	
30	Whiting					
31	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				
32	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				
33	Minor shelf rockfish ^{1/} , Shortbelly, Widow & Yelloweye rockfish					
34	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				
35	large & small footrope gear	150 lb/ month	300 lb/ 2 months			
36	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	
37	multiple bottom trawl gear ^{8/}	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). Continued

38	Canary rockfish			
39	large & small footrope gear	CLOSED		
40	selective flatfish trawl gear	100 lb/ month	300 lb/ month	100 lb/ month
41	multiple bottom trawl gear ^{8/}	CLOSED		
42	Yellowtail			
43	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		
44	large & small footrope gear	150 lb/ month	300 lb/ 2 months	
45	selective flatfish trawl gear	1,000 lb/ month	2,000 lb/ 2 months	
46	multiple bottom trawl gear ^{8/}	150 lb/ month	300 lb/ 2 months	
47	Minor nearshore rockfish & Black rockfish			
48	large & small footrope gear	CLOSED		
49	selective flatfish trawl gear	300 lb/ month		
50	multiple bottom trawl gear ^{8/}	CLOSED		
51	Lingcod ^{4/}			
52	large & small footrope gear	600 lb/ month	500 lb/ 2 months	
53	selective flatfish trawl gear	600 lb/ month	800 lb/ 2 months	800 lb/ 2 months
54	multiple bottom trawl gear ^{8/}	600 lb/ month	500 lb/ 2 months	
55	Other Fish ^{5/} & Pacific cod	Not limited		

TABLE 3 (North) con't

TABLE 3 (North) con't

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, curfin 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 -- 2005-2006 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**

112005

	JAN	FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)^{6/}:							
40°10' - 38° N. lat.	75 fm - 150 fm	100 fm - 200 fm	100 fm - 150 fm			shoreline - 250 fm	
38° - 36° N. lat.	75 fm - 150 fm	100 fm - 150 fm				shoreline - 200 fm	
36° - 34°27' N. lat.	75 fm - 150 fm	100 fm - 150 fm				50 fm - 200 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				50 fm - 200 fm along the mainland coast; shoreline 200 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	Minor slope rockfish ^{2/} & Darkblotched rockfish								
2	40°10' - 38° N. lat.	4,000 lb/ month	4,000 lb/ 2 months	8,000 lb/ 2 months	20,000 lb/ 2 months	8,000 lb/ 2 months	6,000 lb/ 2 months	CLOSED	
3	South of 38° N. lat.	20,000 lb/ month	40,000 lb/ 2 months						
4	Splitnose								
5	40°10' - 38° N. lat.	4,000 lb/ month	4,000 lb/ 2 months	8,000 lb/ 2 months	20,000 lb/ 2 months	8,000 lb/ 2 months	6,000 lb/ 2 months	CLOSED	
6	South of 38° N. lat.	20,000 lb/ month	40,000 lb/ 2 months						
7	DTS complex								
8	Sablefish	8,500 lb/ month	14,000 lb/ 2 months		16,000 lb/ 2 months		9,000 lb/ 2 months		
9	Longspine thornyhead	9,500 lb / month	19,000 lb / 2 months					11,000 lb/ 2 months	
10	Shortspine thornyhead	2,450 lb/ month	4,200 lb/ 2 months		4,600 lb/ 2 months		3,500 lb/ 2 months		
11	Dover sole	25,000 lb/ month	50,000 lb/ 2 months	40,000 lb/ 2 months				30,000 lb/ 2 months	
12	Flatfish (except Dover sole)								
13	Other flatfish ^{3/} & English sole								
14	40°10' - 38° N. lat.	55,000 lb/ month	Other flatfish, English sole & Petrale sole: 110,000 lb/ 2 months, no more than 42,000 lb/ 2 months of which may be petrale sole. South of 38° N. lat. during October, retention of petrale sole is prohibited.					30,000 lb/ 2 months	
15	South of 38° N. lat.							40,000 lb/ 2 months	
16	Petrable sole	30,000 lb/ month						2,000 lb/ 2 months	CLOSED

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		10,000 lb/ 2 months
19	South of 38° N. lat.				5,000 lb/ 2 months
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 ^{1/} , 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/ month	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 ^{4/}				
39	large footrope or midwater trawl	600 lb/ month	500 lb/ 2 months		
40	small footrope trawl	600 lb/ month	800 lb/ 2 months	1,000 lb/ 2 months	800 lb/ 2 months
41	Other Fish ^{5/} & Cabezon	Not limited			

TABLE 3 (South) cont

TABLE 3 (South) cont

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, curfin 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. Pacific cod 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.

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

Table 4 (North) to Part 660, Subpart G -- 2005-2006 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

112005

Other Limits and Requirements Apply: **Rockfish Conservation Area (RCA)**^{6/}:
 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, CCA's, 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 ^{2/} & 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	300 lb/ day, or 1 landing per week of up to 900 lb, not to exceed 3,600 lb/ 2 months			500 lb/ day, or 1 landing per week of up to 1,500 lb, not to exceed 9,000 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 ^{1/}					
11	Whiting	10,000 lb/ trip				
12	Minor shelf rockfish ^{2/} , 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 ^{3/}				
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 ^{3/}	5,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black or blue rockfish ^{3/}		6,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black or blue rockfish ^{3/}	
18	Lingcod ^{4/}	CLOSED		800 lb/ 2 months		CLOSED
19	Other fish ^{5/} & Pacific cod	Not limited				

TABLE 4 (North)

TABLE 4 (North)

^{1/} "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.

^{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, 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 4 (South) to Part 660, Subpart G -- 2005-2006 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**

112005

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)^{5/}:							
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 ^{2/} & 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	300 lb/ day, or 1 landing per week of up to 900 lb, not to exceed 3,600 lb/ 2 months			500 lb/ day, or 1 landing per week of up to 1,500 lb, not to exceed 9,000 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 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.					
9	Arrowtooth flounder						
10	Petrale sole						
11	English sole						
12	Other flatfish ^{1/}						
13	Whiting	10,000 lb/ trip					
14	Minor shelf rockfish ^{2/} , 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		2,000 lb/ 2 months		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)

Table 4 (South). Continued

30	Lingcod ^{3/}	CLOSED	800 lb/ 2 months	CLOSED	
31	Other fish ^{4/} & Cabezon	Not limited			

1/ "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.

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. Pacific cod is included in the trip limits for "other fish."

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 -- 2005-2006 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**

112005

		JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
Rockfish Conservation Area (RCA)^{6/}:							
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, ^{7/} 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 ^{1/} & 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	300 lb/ day, or 1 landing per week of up to 900 lb, not to exceed 3,600 lb/ 2 months			500 lb/ day, or 1 landing per week of up to 1,500 lb, not to exceed 9,000 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 ^{2/}						
10	Whiting	300 lb/ month					
	Minor shelf rockfish ^{1/} , 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 ^{3/}					
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 ^{3/}	5,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black or blue rockfish ^{3/}		6,000 lb/ 2 months, no more than 1,200 lb of which may be species other than black or blue rockfish ^{3/}		
17	Lingcod ^{4/}	CLOSED		300 lb/ month		CLOSED	
18	Other Fish ^{5/} & Pacific cod	Not limited					
19	PINK SHRIMP NON-GROUNDFISH TRAWL (not subject to RCAs)						
20	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.					

TABLE 5 (North)

Table 5 (North). Continued

21	SALMON TROLL	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.	
22	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, curffin 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, 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 5 (South) to Part 660, Subpart G -- 2005-2006 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

112005

Order Limits and Requirements Apply - Read § 660.370, § 660.383 before using this table		JAN-FEB		MAR-APR		MAY-JUN		JUL-AUG		SEP-OCT		NOV-DEC		
Rockfish Conservation Area (RCA) ^{5/}:														
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 ^{1/} & 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	300 lb/ day, or 1 landing per week of up to 900 lb, not to exceed 3,600 lb/ 2 months								500 lb/ day, or 1 landing per week of up to 1,500 lb, not to exceed 9,000 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													
12	Arrowtooth flounder	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.												
13	Petrale sole													
14	English sole													
15	Other flatfish ^{2/}													
16	Whiting	300 lb/ month												
17	Minor shelf rockfish ^{1/} , 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		500 lb/ 2 months		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 ^{3/}	CLOSED	300 lb/ month, when nearshore open	CLOSED
33	Other Fish ^{4/} & Cabezon	Not limited		
34	PINK SHRIMP NON-GROUNDFISH TRAWL GEAR (not subject to RCAs)			
35	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.		
36	RIDGEBACK PRAWN AND, SOUTH OF 38°57.50' N. LAT., CA HALIBUT AND SEA CUCUMBER NON-GROUNDFISH TRAWL			
37	NON-GROUNDFISH TRAWL Rockfish Conservation Area (RCA) for CA Halibut and Sea Cucumber:			
38	40°10' - 38° N. lat.	75 fm - modified 200 fm ^{7/}	100 fm - 200 fm	100 fm - 150 fm
39	38° - 34°27' N. lat.	75 fm - 150 fm	100 fm - 150 fm	
40	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
41	NON-GROUNDFISH TRAWL Rockfish Conservation Area (RCA) for Ridgeback Prawn:			
42	40°10' - 38° N. lat.	75 fm - modified 200 fm ^{7/}	100 fm - 200 fm	100 fm - 150 fm
43	38° - 34°27' N. lat.	75 fm - 150 fm	100 fm - 150 fm	
44	South of 34°27' N. lat.	100 fm - 150 fm along the mainland coast; shoreline - 150 fm around islands		
45	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, curfin 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, curfin 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.

Pacific cod is included in the trip limits for "other fish."

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.