

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 32****Hunting and Fishing***CFR Correction*

In Title 50 of the Code of Federal Regulations, parts 18 to 199, revised as of October 1, 2006, on page 302, § 32.42 is corrected by reinstating the heading "Sherburne National Wildlife Refuge" in the first column before paragraph A.

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 300**

[Docket No. 061229343-7050-02; I.D. 121406A]

RIN 0648-AV03

Pacific Halibut Fisheries; Catch Sharing Plan

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

ACTION: Final rule.

SUMMARY: The Assistant Administrator for Fisheries, NOAA (AA), on behalf of the International Pacific Halibut Commission (IPHC), publishes annual management measures promulgated as regulations by the IPHC and approved by the Secretary of State governing the Pacific halibut fishery. The AA also announces modifications to the Catch Sharing Plan (CSP) for Area 2A (waters off the U.S. West Coast) and implementing regulations for 2007, and announces approval of the Area 2A CSP. These actions are intended to enhance the conservation of Pacific halibut and further the goals and objectives of the Pacific Fishery Management Council (PFMC) and the North Pacific Fishery Management Council (NPFMC).

DATES: Effective March 10, 2007.

ADDRESSES: Additional requests for information regarding this action may be obtained by contacting either the International Pacific Halibut Commission, P.O. Box 95009, Seattle, WA 98145-2009, or Sustainable Fisheries Division, NMFS Alaska Region, P.O. Box 21668, Juneau, AK 99802-1668, or Sustainable Fisheries Division, NMFS Northwest Region, 7600

Sand Point Way, NE, Seattle, WA 98105. This final rule also is accessible via the Internet at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: For waters off Alaska, Jay Ginter, 907-586-7171, e-mail at jay.ginter@noaa.gov; or for waters off the U.S. West Coast, Yvonne deReynier, 206-526-6129, e-mail at yvonne.dereynier@noaa.gov.

SUPPLEMENTARY INFORMATION:**Background**

The IPHC has promulgated regulations governing the Pacific halibut fishery in 2007 under the Convention between the United States and Canada for the Preservation of the Halibut Fishery of the North Pacific Ocean and Bering Sea (Convention), signed at Ottawa, Ontario, on March 2, 1953, as amended by a Protocol Amending the Convention signed at Washington, D.C., on March 29, 1979. The IPHC regulations have been approved by the Secretary of State of the United States under section 4 of the Northern Pacific Halibut Act (Halibut Act, 16 U.S.C. 773-773k). Pursuant to regulations at 50 CFR 300.62, the approved IPHC regulations setting forth the 2007 IPHC annual management measures are published in the **Federal Register** to provide notice of their effectiveness, and to inform persons subject to the regulations of the restrictions and requirements. These management measures are effective until superseded by the 2008 management measures, which NMFS will publish in the **Federal Register**.

The IPHC held its annual meeting in Victoria, British Columbia, January 16-19, 2007, and adopted regulations for halibut fisheries in 2007. The substantive changes to the previous IPHC regulations (71 FR 10850, March 3, 2006) that affect U.S. fishermen include:

1. New catch limits in all regulatory areas (areas);
2. Opening date for commercial fisheries;
3. A new date by which managers of Community Development Quota (CDQ) fishing report sublegal sized halibut to the IPHC;
4. An allowance to temporarily possess sublegal sized halibut caught in commercial fisheries to determine whether their size meets the minimum legal size limit before returning the fish to the sea with a minimum of injury;
5. A change to regulations governing sport fishing; and
6. Adoption of the revised Area 2A CSP.

Catch Limits

The IPHC recommended catch limits for 2007 to the Governments of Canada

and the United States totaling 65,170,000 pounds (29,561 metric tons (mt)). This represents a 6.7 percent decrease from the 2006 catch limit of 69,860,000 pounds (31,688 mt). The IPHC staff reported on the assessment of the Pacific halibut stock in 2006. The assessment indicated healthy halibut stocks in Areas 3A through 2A, but indicated declines in Areas 3B and throughout Area 4 as shown by lower fishery and survey catch rates. Recruitment of 1994 and 1995 year classes appeared relatively strong in all areas except Area 4B, which continued to demonstrate lower recruitment levels for all year classes. The IPHC staff also reported that recoveries of Passive Integrated Transponder tagged halibut in the Bering Sea and Gulf of Alaska remain low, providing insufficient information to reliably estimate exploitable biomass in those areas.

Based on recommendations by the IPHC staff, the IPHC continued using an optimum harvest rate of 22.5 percent as the baseline harvest rate for Areas 2A, 2B, 2C, and 3A. However, a more conservative harvest rate was used in the western areas due to the aforementioned stock condition concerns. For Areas 3B and 4A, the IPHC continued using a harvest rate of 20 percent in recognition of the continuing trend in lower abundance. The IPHC continued using a harvest rate of 15 percent for Areas 4B and 4CDE where productivity and recruitment have continued to be low as a precautionary measure.

Opening Date for Commercial Fisheries

The opening date for the tribal commercial fishery in Area 2A and for the commercial fisheries in Areas 2B through 4E was set at March 10, 2007. This date was determined by taking into account the condition of tides and timing of the first fresh halibut to retail markets. The commercial season closing date for 2007 continues to be November 15. Commercial fishing for halibut during this period may start on March 10 at noon, local time, and end on November 15 at noon, local time. In Area 2A, 10-hour non-tribal derby openings will be held on the following days, until the quota is taken and the fishery is closed: June 27, July 11, July 25, August 8, August 22, September 5, and September 19. The commercial season in waters off British Columbia and Alaska is longer than it is in Area 2A due to the individual quota management policies that govern commercial fishing in and off of British Columbia and Alaska.