

**PART 1420—[AMENDED]**

1. The authority citation for Part 1420 continues to read as follows:

**Authority:** 49 U.S.C. 14123.

2. The note following the authority citation for the Part is removed.

**§ 1420.2 [Amended]**

3. Section 1420.2, paragraph (b)(1), is amended by removing the word “effected,” and, in its place, adding the word “effective”.

4. Section 1420.2, paragraph (b)(5), is amended by removing the words “Annual Carrier Classification Survey Form” and, in their place, adding the words “Worksheet for Calculating Carrier Classification”.

**§ 1420.3 [Amended]**

5. Section 1420.3, paragraph (a), is amended by removing the words “subject to the Interstate Commerce Act.”

6. Section 1420.3, paragraph (b)(1), is amended by removing the word “effected,” and, in its place, adding the word “effective”.

7. Section 1420.3, paragraph (b)(4), is amended by removing the words “the Commission”, each time they appear, and in their place, adding the words “the BTS”; removing the phrase “Class I” and, in its place, adding “Class II”; and removing the words “the Bureau of Accounts, Interstate Commerce Commission, Washington, DC 20423” and, in their place, adding the words “the Bureau of Transportation Statistics at the address in § 1420.6”.

8. Section 1420.3, paragraph (c) is amended by removing the words “the Commission”, and in their place, adding the words “the BTS”.

**§ 1420.4 [Amended]**

9. Section 1420.4, paragraph (b), is amended by removing the words “the Commission”, each time they appear, and, in their place, adding the words “the BTS”.

10. Section 1420.4, paragraph (c), is amended by removing the words “The Bureau of Accounts, Interstate Commerce Commission, Washington, DC 20423”, and in their place, adding the words “the Bureau of Transportation Statistics at the address in § 1420.6” and, in the paragraph’s final sentence, removing the words “the Bureau of Accounts” and in their place, adding the words “the BTS”.

**§ 1420.6 [Amended]**

11. Section 1420.6 is amended by removing the designation “K-27” and, in its place, adding “K-13”.

12. Section 1420.10, paragraph (a), is amended by removing the word “other” and, in its place, adding the word “otherwise”.

**§ 1420.11 [Amended]**

13. Section 1420.11, is amended by removing the words “as defined in § 1240.4 of this chapter, subject to part II of the Interstate Commerce Act” and adding the words § as defined in § 1420.3(a)”; removing the words “motor carrier Quarterly Report of Revenues, Expenses, and Statistics (class I carriers of passengers), form QPA.” and, in their place, adding the words “Motor Carrier Quarterly and Annual Report, Form MP-1.”; and removing the words “the Bureau of Accounts, Interstate Commerce Commission, Washington, DC 20423” and, in their place, adding the words “the Bureau of Transportation Statistics at the address in § 1420.6”.

Issued in Washington, DC, on January 22, 2003.

**Russell B. Capelle, Jr.,**

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 660**

**[Docket No. 021209299-2299-01; I.D. 112502B]**

**Magnuson-Stevens Act Provisions; Fisheries off the West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Groundfish Fishery Management Measures; Correction**

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

**ACTION:** Emergency rule; correction.

**SUMMARY:** This document contains corrections to the emergency rule published on January 7, 2003 for the Pacific Coast groundfish fishery.

**DATES:** Effective January 27, 2003 through February 28, 2003.

**FOR FURTHER INFORMATION CONTACT:** Jamie Goen or Carrie Nordeen (NMFS, Northwest Region), 206-526-6140.

**SUPPLEMENTARY INFORMATION:** The specifications and management measures for the 2003 fishing year

(January 1 through December 31, 2003) are initially being published in the **Federal Register** as an emergency rule for January 1 through February 28, 2003 (68 FR 908, January 7, 2003), and as a proposed rule for March 1 through December 31, 2003 (68 FR 936, January 7, 2003). The final rule for March 1 through December 31, 2003, will be published in the **Federal Register** after the public comment period ends on February 7, 2003.

Management measures for the Pacific Coast groundfish fishery, effective January 1 through February 28, 2003 (68 FR 908, January 7, 2003), contained errors in the trawl trip limit tables, errors in management area coordinates for both commercial and recreational fisheries, and technical errors that require correction.

The limited entry trawl trip limit table, Table 3 (North)- line 23, is corrected to clarify the yellowtail rockfish small footrope trawl trip limit north of 40°10' N. latitude (lat.). The original language was confusing, and this correction adds a section to emphasize the limits to the amount of yellowtail that can be harvested if it's not associated with flatfish. Coastwide, the whiting trip limits, Table 3 (North)- line 14 and Table 3 (South)- line 18, are corrected to allow only mid-water trawling for Pacific whiting inside the rockfish conservation area (RCA) during the primary season (May through August). This is because harvest of whiting outside of the primary season is only allowed as an incidental catch in other groundfish fisheries, which are not supposed to occur in the RCA. Regulatory language for the recreational groundfish fishery off California is corrected to prohibit the retention of bocaccio, canary rockfish, yelloweye rockfish and cowcod in the Rockfish, Cabezon, Greenling Complex (RCG Complex) bag limits south of 40°10' N. lat. This prohibition was explained in the preamble to the proposed rule, which was published in the same issue of the **Federal Register** with the emergency rule which this rule corrects. The emergency rule crossed referenced the proposed rule for the rationale for the management measures.

Coordinates for the following lines are corrected in this notice: the 50-fm (91-m) depth contour used between 40°10' N. lat. and 34°27' N. lat. as an eastern boundary for the trawl RCA in the months of January and February; the 60-fm (110-m) depth contour used between 40°10' N. lat. and 34°27' N. lat. as an eastern boundary for the trawl RCA in March through October; the 100-fm (183-m) depth contour used north of 40°10' N. lat. as an eastern

boundary for the trawl RCA and as a western boundary for the non-trawl RCA; the 100–fm (183–m) depth contour used between 34°27' N. lat. and the U.S. border with Mexico as an eastern boundary for the trawl RCA; the 150–fm (274–m) depth contour used between 40°10' N. lat. and the U.S. border with Mexico as a western boundary for the trawl RCA and used between 38° N. lat. and the U.S. border with Mexico as a western boundary for the non-trawl RCA; and the Winter Petrale Boundary (explained at 68 FR, 936, January 7, 2003) used north of 38° N. lat. as a western boundary for the trawl RCA and modified to allow fishing for petrale in winter months of January, February, November, and December.

The Yelloweye Rockfish Conservation Area (YRCA), an “L-shaped” area off Washington closed to recreational fishing for groundfish and halibut, is corrected to read an “L-shaped” rather than a “C-shaped” area. The YRCA is proposed to become a “C-shaped” area from March - December 2003 (68 FR 936, January 7, 2003). The YRCA coordinates are also corrected by rearranging them to read consecutively in the right order from top to bottom.

**Technical Corrections**

The emergency rule for January 1 through February 28, 2003 (68 FR 908, January 7, 2003), contained errors in references to regulatory section 50 CFR 660.304. The 2003 emergency rule specifications and management measures should refer to the Cowcod Conservation Areas (CCAs) in § 660.304(i) not in § 660.304(c).

This document corrects the errors and re-publishes the limited entry trawl trip limit tables (Table 3 (North) and Table 3 (South)).

**Corrections**

In the rule FR Doc. 02–32755, in the issue of Tuesday, January 7, 2003 (68 FR 908), under IV. NMFS Actions, make the following corrections:

Under A. General Definitions and Provisions:

1. On page 912, in columns 2 and 3, paragraphs (19)(a) and (b) are corrected to read as follows:

\* \* \* \* \*

(19) \* \* \*

(a) *Yelloweye Rockfish Conservation Area.* Recreational fishing for groundfish is prohibited within the YRCA. It is unlawful for recreational fishing vessels to take, retain, possess, or land groundfish inside the YRCA. The YRCA is an “L-shaped” area off the northern Washington coast that is

bound by straight lines connecting all of the following points in the order listed: 48°18' N. lat., 125°18' W. long.; 48°18' N. lat., 125°11' W. long.; 48°04' N. lat., 125°11' W. long.; 48°04' N. lat., 124°59' W. long.; 48°00' N. lat., 124°59' W. long.; 48°00' N. lat., 125°18' W. long.; and connecting back to 48°18' N. lat., 125°18' W. long.

(b) *Cowcod Conservation Areas.* The coordinates of the Cowcod Conservation Areas (CCAs) are defined at § 660.304(i). Recreational and commercial fishing for groundfish is prohibited within the CCAs, except that recreational and commercial fishing for rockfish and lingcod is permitted in waters inside 20 fathoms (36.9 m). It is unlawful to take and retain, possess, or land groundfish inside the CCAs, except for rockfish and lingcod taken in waters inside the 20–fathom (36.9 m) depth contour, when those waters are open to fishing. Commercial fishing vessels may transit through the Western CCA with their gear stowed and groundfish on board only in a corridor through the Western CCA bounded on the north by the latitude line at 33°00'30” N. lat., and bounded on the south by the latitude line at 32°59'30” N. lat.

\* \* \* \* \*

2. On page 914, in column 3, line 49, number (81) is corrected to read as follows:

“(81) 46°17.52' N. lat., 124°35.35' W. long.;

3. On page 917, in column 3, paragraph (19)(e)(v) introductory text and on page 918, paragraphs (109) through (129) are corrected and paragraphs (130) through (150) are correctly added to read as follows:

\* \* \* \* \*

(e) \* \* \*

(v) The Winter Petrale Boundary used north of 38° N. lat. as a western boundary for the trawl RCA, modified to allow fishing for petrale in winter months of January, February, November, and December, is defined by straight lines connecting all of the following points in the order stated:

\* \* \* \* \*

(109) 41°47.79' N. lat., 124°29.52' W. long.;

(110) 41°21.00' N. lat., 124°29.00' W. long.;

(111) 41°11.00' N. lat., 124°23.00' W. long.;

(112) 41°5.00' N. lat., 124°23.00' W. long.;

(113) 40°54.00' N. lat., 124°26.00' W. long.;

(114) 40°50.00' N. lat., 124°26.00' W. long.;

(115) 40°44.51' N. lat., 124°30.83' W. long.;

(116) 40°40.61' N. lat., 124°32.06' W. long.;

(117) 40°37.36' N. lat., 124°29.41' W. long.;

(118) 40°35.64' N. lat., 124°30.47' W. long.;

(119) 40°37.43' N. lat., 124°37.10' W. long.;

(120) 40°36.00' N. lat., 124°40.00' W. long.;

(121) 40°31.59' N. lat., 124°40.72' W. long.;

(122) 40°24.64' N. lat., 124°35.62' W. long.;

(123) 40°23.00' N. lat., 124°32.00' W. long.;

(124) 40°23.39' N. lat., 124°28.70' W. long.;

(125) 40°22.28' N. lat., 124°25.25' W. long.;

(126) 40°21.90' N. lat., 124°25.17' W. long.;

(127) 40°22.00' N. lat., 124°28.00' W. long.;

(128) 40°21.35' N. lat., 124°29.53' W. long.;

(129) 40°19.75' N. lat., 124°28.98' W. long.;

(130) 40°18.15' N. lat., 124°27.01' W. long.;

(131) 40°17.45' N. lat., 124°25.49' W. long.;

(132) 40°18.00' N. lat., 124°24.00' W. long.;

(133) 40°16.00' N. lat., 124°26.00' W. long.;

(134) 40°17.00' N. lat., 124°35.00' W. long.;

(135) 40°16.00' N. lat., 124°36.00' W. long.;

(136) 40°10.00' N. lat., 124°22.75' W. long.;

(137) 40°03.00' N. lat., 124°14.75' W. long.;

(138) 39°49.25' N. lat., 124°06.00' W. long.;

(138) 39°34.75' N. lat., 123°58.50' W. long.;

(140) 39°03.07' N. lat., 123°57.81' W. long.;

(141) 38°52.25' N. lat., 123°56.25' W. long.;

(142) 38°41.42' N. lat., 123°46.75' W. long.;

(143) 38°39.47' N. lat., 123°46.59' W. long.;

(144) 38°35.25' N. lat., 123°42.00' W. long.;

(145) 38°19.97' N. lat., 123°32.95' W. long.;

(146) 38°15.00' N. lat., 123°26.50' W. long.;

(147) 38°08.09' N. lat., 123°23.39' W. long.;

(148) 38°10.08' N. lat., 123°26.82' W. long.;

(149) 38°04.08' N. lat., 123°32.12' W. long.; and

(150) 38°00.00' N. lat., 123°29.85' W. long.

\* \* \* \* \*

4. On page 919,  
 a. In column 1, the last two lines, number (34) is corrected to read as follows:  
 “(34) 34°27.00’ N. lat., 120°36.00’ W. long.,”  
 b. In column 3, line 3, number (34) is corrected to read as follows:  
 “(34) 34°27.00’ N. lat., 120°36.00’ W. long.,”  
 c. In column 3, line 12, number (1) is corrected to read as follows:  
 “(1) 34°27.00’ N. lat., 120°39.00’ W. long.,”  
 5. On page 920, in column 1, line 9, paragraph (19)(e)(ix) is corrected to read as follows:  
 \* \* \* \* \*  
 (e) \* \* \*  
 (ix) The 150–fm (274–m) depth contour used between 40°10’ N. lat. and the U.S. border with Mexico as a western boundary for the trawl RCA and used between 38° N. lat. and the U.S. border with Mexico as a western boundary for the non-trawl RCA is defined by straight lines connecting all of the following points in the order stated:  
 (1) 40°10.01’ N. lat., 124°22.90’ W. long.;  
 (2) 40°7.00’ N. lat., 124°19.00’ W. long.;  
 (3) 40°8.10’ N. lat., 124°16.70’ W. long.;  
 (4) 40°5.90’ N. lat., 124°17.77’ W. long.;  
 (5) 40°1.46’ N. lat., 124°12.85’ W. long.;  
 (6) 40°4.32’ N. lat., 124°10.33’ W. long.;  
 (7) 40°3.21’ N. lat., 124°8.83’ W. long.;  
 (8) 40°1.33’ N. lat., 124°8.70’ W. long.;  
 (9) 39°58.51’ N. lat., 124°12.44’ W. long.;  
 (10) 39°55.73’ N. lat., 124°7.49’ W. long.;  
 (11) 39°34.75’ N. lat., 123°58.50’ W. long.;  
 (12) 39°03.07’ N. lat., 123°57.81’ W. long.;  
 (13) 38°54.00’ N. lat., 123°57.00’ W. long.;  
 (14) 38°08.09’ N. lat., 123°23.39’ W. long.;  
 (15) 38°10.08’ N. lat., 123°26.82’ W. long.;  
 (16) 38°04.08’ N. lat., 123°32.12’ W. long.;  
 (17) 37°59.73’ N. lat., 123°29.85’ W. long.;  
 (18) 37°51.46’ N. lat., 123°25.16’ W. long.;  
 (19) 37°44.06’ N. lat., 123°11.44’ W. long.;

(20) 37°35.26’ N. lat., 123°2.29’ W. long.;  
 (21) 37°14.00’ N. lat., 122°50.00’ W. long.;  
 (22) 37°1.00’ N. lat., 122°36.00’ W. long.;  
 (23) 36°58.07’ N. lat., 122°28.35’ W. long.;  
 (24) 37°0.71’ N. lat., 122°24.53’ W. long.;  
 (25) 36°57.50’ N. lat., 122°24.98’ W. long.;  
 (26) 36°58.38’ N. lat., 122°21.85’ W. long.;  
 (27) 36°55.85’ N. lat., 122°21.95’ W. long.;  
 (28) 36°52.86’ N. lat., 122°12.89’ W. long.;  
 (29) 36°48.71’ N. lat., 122°9.28’ W. long.;  
 (30) 36°46.65’ N. lat., 122°4.10’ W. long.;  
 (31) 36°51.00’ N. lat., 121°58.00’ W. long.;  
 (32) 36°44.00’ N. lat., 121°59.00’ W. long.;  
 (33) 36°38.00’ N. lat., 122°2.00’ W. long.;  
 (34) 36°26.00’ N. lat., 121°59.50’ W. long.;  
 (35) 36°22.00’ N. lat., 122°1.00’ W. long.;  
 (36) 36°19.00’ N. lat., 122°5.00’ W. long.;  
 (37) 36°14.00’ N. lat., 121°58.00’ W. long.;  
 (38) 36°10.61’ N. lat., 121°44.51’ W. long.;  
 (39) 35°50.53’ N. lat., 121°29.93’ W. long.;  
 (40) 35°46.00’ N. lat., 121°28.00’ W. long.;  
 (41) 35°38.94’ N. lat., 121°23.16’ W. long.;  
 (42) 35°26.00’ N. lat., 121°8.00’ W. long.;  
 (43) 35°7.42’ N. lat., 120°57.08’ W. long.;  
 (44) 34°42.00’ N. lat., 120°54.00’ W. long.;  
 (45) 34°29.00’ N. lat., 120°44.00’ W. long.;  
 (46) 34°22.00’ N. lat., 120°32.00’ W. long.;  
 (47) 34°21.00’ N. lat., 120°21.00’ W. long.;  
 (48) 34°24.00’ N. lat., 120°15.00’ W. long.;  
 (49) 34°22.11’ N. lat., 119°56.63’ W. long.;  
 (50) 34°19.00’ N. lat., 119°48.00’ W. long.;  
 (51) 34°15.00’ N. lat., 119°48.00’ W. long.;  
 (52) 34°8.00’ N. lat., 119°37.00’ W. long.;

(53) 34°7.00’ N. lat., 120°11.00’ W. long.;  
 (54) 34°13.00’ N. lat., 120°30.00’ W. long.;  
 (55) 34°9.00’ N. lat., 120°38.00’ W. long.;  
 (56) 33°58.00’ N. lat., 120°29.00’ W. long.;  
 (57) 33°51.00’ N. lat., 120°9.00’ W. long.;  
 (58) 33°38.00’ N. lat., 119°58.00’ W. long.;  
 (59) 33°38.00’ N. lat., 119°50.00’ W. long.;  
 (60) 33°46.25’ N. lat., 119°49.32’ W. long.;  
 (61) 33°53.82’ N. lat., 119°53.42’ W. long.;  
 (62) 33°59.00’ N. lat., 119°21.00’ W. long.;  
 (63) 34°2.00’ N. lat., 119°13.00’ W. long.;  
 (64) 34°1.52’ N. lat., 119°4.50’ W. long.;  
 (65) 33°58.83’ N. lat., 119°3.76’ W. long.;  
 (66) 33°56.55’ N. lat., 118°40.50’ W. long.;  
 (67) 33°51.00’ N. lat., 118°38.00’ W. long.;  
 (68) 33°39.63’ N. lat., 118°18.75’ W. long.;  
 (69) 33°35.44’ N. lat., 118°17.57’ W. long.;  
 (70) 33°31.98’ N. lat., 118°12.59’ W. long.;  
 (71) 33°33.25’ N. lat., 117°54.15’ W. long.;  
 (72) 33°31.43’ N. lat., 117°49.84’ W. long.;  
 (73) 33°16.53’ N. lat., 117°36.13’ W. long.;  
 (74) 33°6.51’ N. lat., 117°24.11’ W. long.;  
 (75) 32°54.11’ N. lat., 117°21.45’ W. long.;  
 (76) 32°46.15’ N. lat., 117°24.26’ W. long.;  
 (77) 32°41.97’ N. lat., 117°22.10’ W. long.;  
 (78) 32°39.00’ N. lat., 117°28.13’ W. long.; and  
 (79) 32°34.84’ N. lat., 117°24.62’ W. long.  
 \* \* \* \* \*

Under B. Limited Entry Fishery:

6. On pages 924–925, Table 3 (North) and Table 3 (South) are corrected to read as follows:

BILLING CODE 3510–22–S

**Table 3 (North). Trip Limits and Gear Requirements<sup>1/</sup> for Limited Entry Trawl Gear North of 40°10' N. Latitude<sup>2/</sup>**  
**Other Limits and Requirements Apply -- Read Sections A. and B. of NMFS Actions before using this table**

	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
<b>Rockfish Conservation Area<sup>10/</sup> (RCA):</b>	100 fm - 250 fm (line modified to incorporate petrale sole fishing grounds)	100 fm - 250 fm		75 fm - 250 fm	100 fm - 250 fm	100 fm - 250 fm (line modified to incorporate petrale sole fishing grounds)
Small footrope is required shoreward of the RCA; both large and small footropes are permitted seaward of the RCA. Only one type of trawl gear is allowed on board a vessel at any one time.						
<b>1 Minor slope rockfish<sup>3/</sup></b>	1,800 lb/ 2 months					
<b>2 Pacific ocean perch</b>	3,000 lb/ 2 months					
<b>3 DTS complex</b>						
<b>4 Sablefish</b>	6,000 lb/ 2 months		7,000 lb/ 2 months			6,000 lb/ 2 months
<b>5 Longspine thornyhead</b>	8,000 lb/ 2 months		9,000 lb/ 2 months			7,000 lb/ 2 months
<b>6 Shortspine thornyhead</b>	2,300 lb/ 2 months		2,400 lb/ 2 months			2,200 lb/ 2 months
<b>7 Dover sole</b>	26,000 lb/ 2 months		25,000 lb/ 2 months			26,000 lb/ 2 months
<b>8 Flatfish</b>						
<b>9 All other flatfish<sup>4/</sup></b>	100,000 lb/ 2 months	100,000 lb/ 2 months, no more than 30,000 lb/ 2 months of which may be petrale sole				100,000 lb/ 2 months
<b>10 Petrale sole</b>	Not limited					Not limited
<b>11 Rex sole</b>	Included in all other flatfish					
<b>12 Arrowtooth flounder</b>	30,000 lb/ trip	60,000 lb/ 2 months; 7,500 lb/ trip				30,000 lb/ trip
<b>13 Whiting<sup>5/</sup></b>						
<b>14 mid-water trawl</b>	20,000 lb/ trip		Primary Season - (mid-water trawling permitted in the RCA)		10,000 lb/ trip	
<b>15 Other Fish<sup>9/</sup></b>	Not limited					
<b>16 Use of small footrope bottom trawl<sup>7/</sup> or mid-water trawl is required for landing all of the following species:</b>						
<b>17 Minor shelf rockfish and widow rockfish<sup>3/</sup></b>	300 lb/ month		1,000 lb/ month, no more than 200 lb/ month of which may be yelloweye rockfish			300 lb/ month
<b>18 Widow rockfish - mid-water trawl</b>						
<b>19 mid-water trawl - permitted within the RCA</b>	CLOSED <sup>6/</sup>		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		CLOSED <sup>6/</sup>	12,000 lb/ 2 months
<b>20 Canary rockfish</b>	100 lb/ month		300 lb/ month			100 lb/ month
<b>21 Yellowtail</b>						
<b>22 mid-water trawl - permitted within the RCA</b>	CLOSED <sup>6/</sup>		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			18,000 lb/ 2 months
<b>23 small footrope trawl<sup>7/</sup></b>	In landings without flatfish, 1,000 lb/ month. As flatfish bycatch, per trip limit is the sum of 33% (by weight) of all flatfish except arrowtooth flounder, plus 10% (by weight) of arrowtooth flounder, not to exceed 3,000 lb/month. Total yellowtail landings not to exceed 3,000 lb/month, no more than 1,000 lb of which may be landed without flatfish.					
<b>24 Minor nearshore rockfish</b>	300 lb/ month					
<b>25 Lingcod<sup>8/</sup></b>	800 lb/ 2 months		1,000 lb/ 2 months			800 lb/ 2 months

1/ Gear requirements and prohibitions are explained above. See A.(14).

2/ "North" means 40°10' N. lat. to the U.S.-Canada border. 40°10' N. lat. is about 20 nm south of Cape Mendocino, CA.

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

4/ "Other" flatfish means all flatfish at 50 CFR 660.302 except those in this Table 3 with species specific management measures, including trip limits.

5/ The whiting "per trip" limit in the Eureka area shoreward of 100 fm is 10,000 lb/ trip throughout the year. Outside Eureka area, the 20,000 lb/ trip limit applies. See B.(3).

6/ Closed means that it is prohibited to take and retain, possess, or land the designated species in the time or area indicated. See A.(7).

7/ Small footrope trawl means a bottom trawl net with a footrope no larger than 8 inches (20 cm) in diameter.

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

9/ Other fish are defined at 50 CFR 660.302, as those groundfish species or species groups for which there is no trip limit, size limit, quota, or harvest guideline.

10/ 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 A.(19)(e), that may vary seasonally.

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

**Table 3 (South). Trip Limits and Gear Requirements<sup>1/</sup> for Limited Entry Trawl Gear South of 40°10' N. Latitude<sup>2/</sup>**

**Other Limits and Requirements Apply -- Read Sections A. and B. of NMFS Actions before using this table**

	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
<b>Rockfish Conservation Area<sup>10/</sup> (RCA):</b>						
40°10' - 38° N. lat.	50 fm - 250 fm		60 fm - 250 fm			
38° - 34°27' N. lat.	50 fm - 150 fm		60 fm - 150 fm			
South of 34°27' N. lat.	100 fm - 150 fm along the mainland coast; shoreline - 150 fm around islands					
Small footrope is required shoreward of the RCA; both large and small footropes are permitted seaward of the RCA. Only one type of trawl gear is allowed on board a vessel at any one time.						
<b>1 Minor slope rockfish<sup>3/</sup></b>						
2 40°10' - 38° N. lat.	1,800 lb/ 2 months					
3 South of 38° N. lat.	30,000 lb/ 2 months					
<b>4 Splitnose</b>						
5 40°10' - 38° N. lat.	1,800 lb/ 2 months					
6 South of 38° N. lat.	30,000 lb/ 2 months					
<b>7 DTS complex</b>						
8 Sablefish	6,000 lb/ 2 months		7,000 lb/ 2 months			6000 lb/ 2 months
9 Longspine thornyhead	8,000 lb /2 months		9,000 lb/ 2 months			7000 lb/ 2 months
10 Shortspine thornyhead	2,300 lb/ 2 months		2,400 lb/ 2 months			2,200 lb/ 2 months
11 Dover sole	26,000 lb/ 2 months		25,000 lb/ 2 months			26,000 lb/ 2 months
<b>12 Flatfish</b>						
13 All other flatfish <sup>4/</sup>	70,000 lb/ 2 months	70,000 lb/ 2 months, no more than 10,000 lb/ 2 months of which may be petrale sole				70,000 lb/ 2 months
14 Petrale sole	No limit					No limit
15 Rex sole	Included in all other flatfish					
16 Arrowtooth flounder	No limit	1,000 lb/ 2 months			No limit	
<b>17 Whiting<sup>5/</sup></b>						
18 mid water trawl	20,000 lb/ trip		Primary Season - (mid-water trawling permitted in the RCA)		10,000 lb/ trip	
<b>19 Other Fish<sup>9/</sup></b>	Not limited					
<b>20 Use of small footrope bottom trawl<sup>7/</sup> or mid-water trawl is required for landing all of the following species:</b>						
<b>21 Minor shelf rockfish, widow, and chilipepper rockfish<sup>3/</sup></b>	300 lb/ month					
<b>22 Widow rockfish</b>						
23 mid water trawl - permitted within the RCA	CLOSED <sup>6/</sup>					12, 000 lb/ 2 months
<b>24 Canary rockfish</b>	100 lb/ month		300 lb/ month		100 lb/ month	
<b>25 Bocaccio</b>	CLOSED <sup>6/</sup>					
<b>26 Cowcod</b>	CLOSED <sup>6/</sup>					
<b>27 Minor nearshore rockfish</b>	300 lb/ month					
<b>28 Lingcod<sup>8/</sup></b>	800 lb/ 2 months		1,000 lb/ 2 months		800 lb/ 2 months	

1/ Gear requirements and prohibitions are explained above. See A.(14).

2/ "South" means 40°10' N. lat. to the U.S.-Mexico border. 40°10' N. lat. is about 20 nm south of Cape Mendocino, CA.

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

4/ "Other" flatfish means all flatfish at 50 CFR 660.302 except those in this Table 3 with species specific management measures, including trip limits.

5/ The whiting "per trip" limit in the Eureka area shoreward of 100 fm is 10,000 lb/ trip throughout the year. Outside Eureka area, the 20,000 lb/ trip limit applies. See B.(3).

6/ Closed means that it is prohibited to take and retain, possess, or land the designated species in the time or area indicated. See A.(7).

7/ Small footrope trawl means a bottom trawl net with a footrope no larger than 8 inches (20 cm) in diameter.

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

9/ Other fish are defined at 50 CFR 660.302, as those groundfish species or species groups for which there is no trip limit, size limit, quota, or harvest guideline.

10/ 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 A.(19)(e), that may vary seasonally.

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

Under D. Recreational Fishery:

7. On page 931, in column 2, paragraph (1)(a) is corrected to read as follows:

\* \* \* \* \*

(1) \* \* \*

(a) *Yelloweye Rockfish Conservation Area*. The YRCA is an "L-shaped" area which is closed to recreational groundfish and halibut fishing. The coordinates for the YRCA are defined at A.(19).

\* \* \* \* \*

8. On page 932, in column 1, line 29, paragraph (3)(b)(i)(A) is corrected to read as follows:

\* \* \* \* \*

(3) \* \* \*

(b) \* \* \*

(i) \* \* \*

(A) *Cowcod Conservation Areas*.

Recreational fishing for groundfish is prohibited within the CCAs, for coordinates described in Federal regulations at 50 CFR 660.304(i), except that fishing for sanddabs is permitted subject to the provisions in paragraph D.(3)(iv) and that fishing for species managed under this section (not including cowcod, bocaccio, canary, and yelloweye rockfishes) is permitted in waters shoreward of the 20- fm (37-m) depth contour within the CCAs from July 1 through December 31, 2003, subject to the bag limits in this section.

\* \* \* \* \*

9. On page 932, in column 2, line 3, paragraph (3)(b)(ii)(B) is corrected to read as follows:

\* \* \* \* \*

(ii) \* \* \*

(B) *Bag limits, boat limits, hook limits*.

South of 40°10' N. lat., in times and areas when the recreational season for the RCG Complex is open, there is a limit of two hooks and one line when fishing for rockfish, and the bag limit is 10 RCG Complex fish per day (not including bocaccio, canary rockfish, yelloweye rockfish and cowcod which are prohibited), of which up to 10 may be rockfish, no more than 2 of which

may be shallow nearshore rockfish. [Note: The shallow nearshore rockfish group off California are composed of kelp, grass, black-and-yellow, China, and gopher rockfishes.] Also within the 10 RCG Complex fish per day limit, no more than 2 fish per day may be greenling (kelp and/or rock greenling) and no more than 3 fish per day may be cabezon. Lingcod, California scorpionfish, and sanddabs taken in recreational fisheries off California do not count toward the 10 RCG Complex fish per day bag limit. Multi-day limits are authorized by a valid permit issued by California and must not exceed the daily limit multiplied by the number of days in the fishing trip.

\* \* \* \* \*

**Classification**

The Assistant Administrator for Fisheries, NOAA (AA) finds that good cause exists pursuant to 5 U.S.C. 553(b)(B) to waive prior notice and opportunity for public comment as such prior notice and opportunity for public comment is unnecessary, impracticable, and contrary to the public interest. It is unnecessary because this notice publishes a minor technical correction, changing the 2003 emergency rule specifications and management measures to refer to the CCAs in section 660.304(i) to section 660.304(c). It is impracticable because NMFS does not have sufficient time to seek public comment on the clarifications to harvest levels and management measures in this notice and to incorporate such comments into the notice before it is published in the **Federal Register**. NMFS must act quickly to publish this notice as it corrects harvest trip limits and other management measures that will protect overfished groundfish stocks. Such measures include clarifying the trip limits of yellowtail rockfish and Pacific whiting, allowing only mid-water trawling for Pacific whiting inside the RCA from May through August, and prohibiting the retention of bocaccio, canary rockfish,

yelloweye rockfish, and cowcod in the RCG complex bag limits south of 40°10' N. lat. Prior notice and opportunity for public comment is contrary to the public interest because such notice and opportunity for public comment will delay implementing this correction notice, thereby increasing the risk of further depletion of overfished groundfish stocks. Such depletion would most likely result in the premature closure of certain sectors in the Pacific Coast groundfish fishery later in 2003 to protect such stocks. These fishery closures would likely have a negative socio-economic impact on local fishing communities. Finally, one of the measures corrects the western boundary of the trawl RCA in order to allow access to areas where petrale sole congregate in the winter. Delay in implementing this correction would prevent fishers from accessing the petrale sole before they disperse, and would have a negative socio-economic impact on local fishing communities.

The AA also finds good cause pursuant to 5 U.S.C. 553(D)(3) to waive the 30 day delay in the effective date of this correction notice. Such a delay would increase the probability that fishermen would further deplete overfished groundfish species as they would continue to fish in areas and with gear that are incompatible with the conservation efforts contained in the 2003 harvest specifications and management measures. For the correction of the petrale sole area, the delay would prevent fishermen of taking advantage of an opportunity to harvest healthy stocks of petrale sole when they can be taken with minimal bycatch.

**Authority:** 1801 *et seq.*

Dated: January 23, 2003.

**Rebecca Lent,**

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

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