



National Marine Fisheries Service, Northwest Region  
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www.nwr.noaa.gov



## PUBLIC NOTICE

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FOR IMMEDIATE RELEASE  
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### **PACIFIC COAST GROUND FISH FISHERY** **Commercial limited entry fixed gear sablefish primary fishery**

The National Marine Fisheries Service (NMFS) provides a summary of information for participants in the commercial limited entry fixed gear sablefish primary fishery off Washington, Oregon, and California (north of 36° N. lat.).

Some of this information was provided in a previous public notice on December 31, 2012 (NMFS SEA-12-19) and is unchanged. For more detailed regulations applying to the limited entry fixed gear sablefish primary fishery, see § 660.231 of the Pacific Coast groundfish regulations.

#### ***What are the 2013 Tier Limits?***

These tier limits published in the Federal Register on January 3, 2013 (78 FR 580). The sablefish primary fishery tier limits for the 2013 season are as follows:

**Tier 1 = 34, 513 lb**  
**Tier 2 = 15,688 lb**  
**Tier 3 = 8,964 lb**

#### ***How do I convert to dressed weight?***

Tier limits are given in round weight. For dressed weight, divide the round weight amount by 1.6 (e.g., for 2013:  $34,513/1.6 = 21,570$ ;  $15,688 / 1.6 = 9,805$ ;  $8,964/1.6 = 5,602$ ).

#### ***When and Where?***

The sablefish primary fishery occurs north of 36° N. lat. The sablefish primary fishery begins at 12 noon local time (l.t.) on April 1. The sablefish primary fishery closes at 12 noon l.t. on October 31, or closes for an individual vessel once that permit holder's tier limit(s) has been reached, whichever is earlier.

#### ***What gear can I use?***

Vessels participating in the sablefish primary fishery may use any of the gear types, except trawl gear, endorsed on at least one of the permits registered for use with that vessel.

#### ***Can I retain incidentally caught Pacific halibut?***

The final area 2A Pacific halibut total allowable catch for 2013 is above 900,000 lbs, and according to the Council's catch sharing plan on halibut, 21,410 lbs of halibut will be assigned

Visit the NMFS Northwest Region website for current groundfish management regulations, VMS information, and RCA boundary coordinates.

[http://www.nwr.noaa.gov/fisheries/management/about\\_groundfish/index.html](http://www.nwr.noaa.gov/fisheries/management/about_groundfish/index.html)

#### **Groundfish E-mail Group**

Subscribe to "wgroundfish" by visiting the following website:

[http://www.nwr.noaa.gov/publications/fishery\\_management/groundfish/public\\_notices/groundfish\\_email\\_group\\_signup.html](http://www.nwr.noaa.gov/publications/fishery_management/groundfish/public_notices/groundfish_email_group_signup.html)

to the sablefish primary fishery. The Pacific Fishery Management Council (PFMC) will make final recommendations on halibut landing restrictions in the sablefish primary fishery on April 8, 2013. This inseason change will be published in the *Federal Register* near May 1, 2013, and will be announced again in a subsequent Public Notice.

***What is my Tier limit?***

A vessel participating in the primary season will be constrained by the sablefish cumulative limit(s) (or tier limits) associated with each of the permits registered for use with that vessel. During the primary season, each vessel authorized to participate in that season may take, retain, possess, and land sablefish, up to the tier limit for each of the permits registered for use with that vessel.

***What is my Tier limit if I have multiple sablefish endorsed permits registered to a single vessel, or the permit(s) are registered to more than one vessel during the sablefish primary fishery?***

If multiple limited entry permits with sablefish endorsements are registered for use with a single vessel, that vessel may land up to the sum total of all of the tiers for those permits, unless the permit is registered to more than one vessel during the primary season. If a permit is registered to more than one vessel during the primary season in a single year, the second vessel may only take the portion of the tier limit(s) for that permit that has not been harvested by the first vessel to which the permit was registered. The combined primary season sablefish landings for all vessels registered to that permit may not exceed the sum total of the tier(s) associated with that permit. Up to 3 permits may be registered for use with a single vessel during the primary season; thus, a single vessel may not take and retain, possess or land more than 3 primary season sablefish tier limits in any one year. A vessel registered for use with multiple limited entry permits is subject to per vessel limits for species other than sablefish, and to per vessel limits when participating in the daily trip limit fishery for sablefish.

***How much sablefish can I land before April 1?***

All sablefish landed prior to noon l.t. on April 1 are subject to the applicable March-April trip limits for the gear you are using and the area you are fishing, and those limits may not be exceeded. Trip limits vary depending on whether you are registered to a limited entry permit, what gear(s) you are using, and what area(s) you are fishing. Trip limits for Limited Entry Fixed Gear are found in Tables 2 (North) and 2 (South) and trip limits for Open Access Gear are found in Tables 3 (North) and 3 (South).

***How do I start my sablefish Tier limit(s)?***

If a vessel is registered for use with a sablefish-endorsed limited entry permit, all sablefish taken after noon l.t. April 1 count against the tier limit(s) associated with the permit(s) registered for use with that vessel.

***How do I know when my vessels sablefish Tier limit(s) is completed?***

If a vessel has taken all of its tier limit(s) except for an amount that is: 1) smaller than the limited entry fixed gear daily trip limit amount, if one is in place; or 2) if no daily trip limit is specified at the time then your tier limit(s) are completed when the remaining amount is less than 300 pounds. The sablefish primary fishery closes entirely (e.g. for any vessels that have not yet completed their tier limit(s)) at noon l.t. on October 31.

***What can I do when my vessels sablefish Tier limit(s) is completed?***

You must wait to land sablefish in the trip limit fishery until the next day (because no vessel may land sablefish against both its tier limit(s) and against the trip limits within the same 24 hour period of 0001 hour l.t. to 2400 hours l.t.). Once a vessel has completed its tier limit(s), as described above, that vessel's subsequent sablefish landings are automatically subject to applicable trip limits.

If your vessel is still registered to a limited entry permit, you may fish in the limited entry fixed gear daily trip limit (DTL) fishery for sablefish with your endorsed gear. When fishing exclusively with your endorsed gear you may fish up to the limited entry fixed gear trip limits for sablefish. However, your vessel may also fish with open access gear (e.g. non-trawl gear for which you are not endorsed). If you fish with both your endorsed and open access gear during the same cumulative limit period then you will be subject to crossover provisions found at §660.60(h)(7). The most common crossover provision that would apply when fishing with both your endorsed gear and a non-endorsed gear is that the most restrictive trip limits (between limited entry fixed gear and open access) cannot be exceeded. Additionally, declaration reports have to be filed of the NMFS Office of Law Enforcement for the gear being used.

If a vessel is not registered to a limited entry permit before and/or after the primary season then landings are subject to the open access limits.

### ***Closed Areas***

The following mandatory closed areas apply to vessels participating in the sablefish primary fishery: 1) the North Coast Commercial Yelloweye Rockfish Conservation Area (YRCA); 2) the Non-trawl Rockfish Conservation Area; 3) Essential Fish Habitat Conservation Areas; 4) a closure around the Farallon Islands; and 5) a closure around Cordell Banks. Three additional areas are voluntary closed areas; they are: 1) the North Coast Recreational YRCA; 2) the South Coast Recreational YRCA; and 3) the Westport Offshore Recreational YRCA. All of these closed areas are defined by latitude and longitude coordinates published in regulation at 50 CFR 660.70. More information on how these closed areas apply to limited entry fixed gear fisheries (e.g. commercial non-trawl fisheries) is available in regulation at §660.230 and on our website at

[http://www.nwr.noaa.gov/fisheries/management/about\\_groundfish/groundfish\\_area\\_closures.html](http://www.nwr.noaa.gov/fisheries/management/about_groundfish/groundfish_area_closures.html)

### ***Additional Sablefish Fishery Requirements***

The following requirements were effective January 2007: (1) permit owners must be onboard the vessel when that vessel is fishing for sablefish in the primary season against that permit's tier, unless the permit owner is grandfathered (i.e., exempt from the owner-on-board requirement.) Each permit shows the permit owner's owner-on-board status, exempt or not exempt; (2) for any request to transfer a sablefish-endorsed permit during the primary season, the transferor must certify the quantity of sablefish landed on the permit to date and the transferee must acknowledge the amount of landings to date; (3) at-sea processing of sablefish is prohibited, unless the vessel and permit owner have previously qualified for an exemption; (4) WA, OR and CA require the federal limited entry sablefish-endorsed permit number to be written on state fish tickets for all sablefish primary season landings. A compliance guide describing these requirements is available on our website under "Forms and Links" at

[http://www.nwr.noaa.gov/fisheries/management/groundfish\\_permits/limited\\_entry\\_permits.html](http://www.nwr.noaa.gov/fisheries/management/groundfish_permits/limited_entry_permits.html)

### ***Owner-on-Board Requirement***

Any person who owns or has ownership interest in a limited entry permit with a sablefish endorsement must be on board the vessel registered for use with that permit at any time that the vessel has sablefish on board the vessel that count toward that permit's cumulative sablefish tier limit. A permit owner is not obligated to be on board the vessel registered for use with the sablefish-endorsed limited entry permit during the sablefish primary season if:

1. The person, partnership or corporation had ownership interest in a limited entry permit with a sablefish endorsement prior to November 1, 2000.
2. The person who owns or who has ownership interest in a sablefish-endorsed limited entry permit is prevented from being on board a fishing vessel because that person died, is ill, or is injured. Exemptions are not automatic; they must be requested from NMFS and appropriate evidence must be provided to support that request.

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For more information contact: NMFS Northwest Region at 206-526-6140 or visit our website at <http://www.nwr.noaa.gov>, click on “Fisheries” then “Fisheries Management”; Washington Department of Fish and Wildlife at 360-249-4628; Oregon Department of Fish and Wildlife at 541-867-4741; or the California Department of Fish and Game at 707-441-5797 (Eureka), 510-581-7358 (Belmont), 562-342-7184 (Los Alamitos).

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Any discrepancies between this public notice and the *Federal Register* will be resolved in favor of the *Federal Register*.