



National Marine Fisheries Service, West Coast Region
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PUBLIC NOTICE

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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.) and answers to frequently asked questions.

Some of this information was provided in a previous public notice on March 10, 2015 (NMFS SEA-15-07) 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.

Groundfish E-mail Group

Want to know what's going in in Groundfish? Need the most up to date regulations? Subscribe to "wegrroundfish" to learn about regulation changes inseason and all other announcements, by visiting the following website:

http://www.westcoast.fisheries.noaa.gov/publications/fishery_management/groundfish/public_notices/groundfish_email_group_signup.html, and clicking "Subscribe".

What are the 2016 Tier Limits?

These tier limits published in the *Federal Register* on March 10, 2015 (80 FR 12567). The sablefish primary fishery tier limits (in round weight) for the 2016 season are as follows:

Tier 1 = 45,053 lb

Tier 2 = 20,479 lb

Tier 3 = 11,702 lb

How do I convert to dressed weight?

Tier limits are in round weight. For dressed weight, divide the round weight amount by 1.6 (e.g., for 2016: 45,053 lb/1.6 = 28,158 lb; 20,479 lb/1.6 = 12,799 lb; 11,702/1.6 = 7,314 lb).

Where?

The sablefish primary fishery occurs north of 36° N. lat.

When does the season begin?

12:00pm (noon) local time (l.t.) on April 1. Prior to noon on April 1, the primary fishery is CLOSED. Therefore, fishing on annual primary sablefish tier limits may not begin until noon on April 1. In other words, gear cannot be pre-soaking before the fishery opens.

When does the season close?

1. Closes for all vessels at 12 noon l.t. on October 31,
- OR-**
2. Closes for an individual vessel once that permit holder's tier limit(s) has been reached or has less than 300 lbs remaining, WHICHEVER OCCURS 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 sablefish-endorsed permits registered for use with that vessel.

Can I retain incidentally caught Pacific halibut?

The 2016 incidental halibut landing allowance published in the *Federal Register* on March 28, 2016 (81 FR 17094).

Incidentally caught Pacific halibut may be landed under the following restrictions:

1. You are fishing only with longline gear and only possessing and landing in the area north of Point Chehalis (46°53.30' N. lat.);
2. You have an IPHC license; and
3. If you meet these criteria then you may possess or land 110 lb (50 kg) dressed weight of halibut for every 1,000 pounds (454 kg) dressed weight of sablefish landed and up to 2 additional halibut in excess of the 110-pounds-per-1,000-pound ratio per landing.

What is my Tier limit?

A vessel participating in the primary season will be constrained by the sablefish cumulative limit(s) (also referred to as 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?

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. 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.

What is my Tier limit if the permit(s) are registered to more than one vessel during the sablefish primary fishery?

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.

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 tier 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?

If you landed the last of your tier limits today, you must wait to land sablefish in the trip limit fishery until after midnight (e.g. 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 in a cumulative limit period 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 Non-trawl Rockfish Conservation Area (RCA); 2) the North Coast Commercial Yelloweye Rockfish Conservation Area (YRCA); 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 660.70-79. 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.westcoast.fisheries.noaa.gov/fisheries/management/groundfish_closures/groundfish_closed_areas.html

Additional Sablefish Fishery Requirements

The following requirements were effective January 2007 and remain in place: (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 at

http://www.westcoast.fisheries.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.

For more information contact: NMFS West Coast Region at 206-526-6140 or visit our website at <http://www.westcoast.fisheries.noaa.gov>, click on "Fisheries" then "Groundfish"; 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).

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