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PACIFIC COAST GROUND FISH FISHERY **Amendment 32 Non-Trawl Sector Area Management Measures Compliance Guide**

On December 1, 2023, NOAA Fisheries published a final rule in the Federal Register (88 FR 83830) implementing Amendment 32 to the Pacific Coast Groundfish Fishery Management Plan, *i.e.*, Modifications to Non-Trawl Sector Area Management Measures. The new regulations are explained within this guide.

Regulations contained in the rule are effective **January 1, 2024**. The final rule, proposed rule, comments, and supporting documents can be found at: <https://www.fisheries.noaa.gov/action/amendment-32-pacific-coast-groundfish-fishery-management-plan-modifications-non-trawl-sector#:~:text=The%20purpose%20of%20Amendment%2032,Coast%20Groundfish%20Fishery%20Management%20Plan>

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This document serves as a Small Entity Compliance Guide, complying with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996.

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Background

In the early 2000s, several types of groundfish conservation areas (GCAs, defined in the Code of Federal Regulations at [§ 660.11](#)), were implemented to protect overfished groundfish species off the U.S. West Coast; this includes the coastwide Non-Trawl Rockfish Conservation Area (Non-Trawl RCA; [68 FR 908](#), January 7, 2003), and the Cowcod Conservation Area (CCA; [66 FR 2338](#), January 11, 2001) in the Southern California Bight. With the rebuilt status of almost all of these groundfish species (the exception being yelloweye rockfish, which is projected to rebuild by 2029), the Pacific Fishery Management Council has been prioritizing increased fishing access to these areas for groundfish non-trawl fisheries (*i.e.*, the directed open access sector, the California recreational sector, the limited entry fixed gear (LEFG) sector, and vessels that use non-trawl gear under the Trawl Individual Fishing Quota (IFQ) Program). Amendment 32 and its implementing regulations will provide additional fishing opportunity in these closures through a suite of modifications to GCA boundaries, gear specifications, and catch restrictions, while continuing to rebuild yelloweye rockfish and mitigate fishing impacts to sensitive habitats.



Non-Trawl Rockfish Conservation Area Management

The Non-Trawl RCA is a coastwide, contiguous area bounded by the exclusive economic zone or specific latitude and longitude coordinates that approximate depth contours along the West Coast continental shelf and around select islands off Southern California. Typically, most groundfish fishing with non-trawl gear is prohibited inside the Non-Trawl RCA.

The final rule for the 2023-24 Groundfish Harvest Specification and management measures action ([87 FR 77007](#); December 16, 2022) authorized the use of two new hook-and-line gear configurations for use inside the Non-Trawl RCA by the directed open access sector as defined at [§ 660.11](#). Prior to these two gear types being authorized in 2023, the only non-trawl fishing allowed in the Non-Trawl RCA was fishing for “other flatfish” with hook-and-line gear.

These two new gear configurations included non-bottom contact stationary vertical jig gear (see [§ 660.330\(b\)\(3\)\(i\)](#)) and non-bottom contact groundfish troll gear (see [§ 660.330\(b\)\(3\)\(ii\)](#)). In order to mitigate yelloweye rockfish bycatch, both of these gear configurations were implemented with a suite of gear specifications to ensure gear is fished off the bottom.

The final regulations for Amendment 32 modify some of the specifications for the non-bottom contact stationary vertical gear (see next page). No changes are being made to the specifications for non-bottom contact groundfish troll gear.

Non-Trawl Rockfish Conservation Area Management – Gear and Catch Restriction Changes

***Gear Restriction Changes:** current 2023 regulations for non-bottom contact stationary vertical jig gear (defined at [§660.330\(b\)\(3\)\(i\)](#)), which is legal for use inside the Non-Trawl RCA, require a minimum of 50 feet between the bottom weight and lowest fishing hook, and the use of artificial bait. In 2024, the new requirements will be:*

1. A minimum of 30 feet between the bottom weight and lowest fishing hook; and
2. Natural or artificial bait may be used.

***Catch Restrictions Changes:** current 2023 regulations for using non-bottom contact hook-and-line gear types defined at [§660.330\(b\)\(3\)](#) require all groundfish fishermen to declare into the open access sector and fish pursuant to open access trip limits at Table 3 North and Table 3 South. In 2024, the new regulations will include the following provisions:*

1. LEFG vessels may declare into the LEFG fishery for either gear type, and fish pursuant to trip limits at Table 2 North and Table 2 South.
2. Vessels that use non-trawl gear under the Trawl IFQ program may fish inside the Non-Trawl RCA with either legal hook-and-line gear type using their quota pounds.

Non-Trawl Rockfish Conservation Area Management – Changes to Boundaries

Current 2023 Non-Trawl RCA Boundaries

State	Management Area	Non-Trawl RCA boundaries	Approximate Area of Non-Trawl RCA (sq mi)
Washington	North of 46°16' N. lat.	EEZ* (0 fm) to 100fm	3,616
Oregon	46°16' N. lat. to 42° N. lat.	30 fm to 100 fm	4,940
California	42° N. lat. to 40°10' N. lat.	30 fm to 100 fm	907
California	40°10' N. lat. to 38°57.5' N. lat.	40 fm to 125 fm	460
California	38°57.5' N. lat. to 34°27' N. lat.	50 fm to 125 fm	1,905
California	South of 34°27' N. lat.	100 fm to 150 fm	486

*EEZ = exclusive economic zone (*i.e.*, federal waters from 3-200 nautical miles from shore). State regulations govern state waters from 0-3 nautical miles from shore.

The Non-Trawl RCA applies to both groundfish non-trawl fisheries and the non-tribal directed commercial Pacific halibut fishery

Non-Trawl Rockfish Conservation Area Management – Changes to Boundaries

NEW 2024 Non-Trawl RCA Boundaries

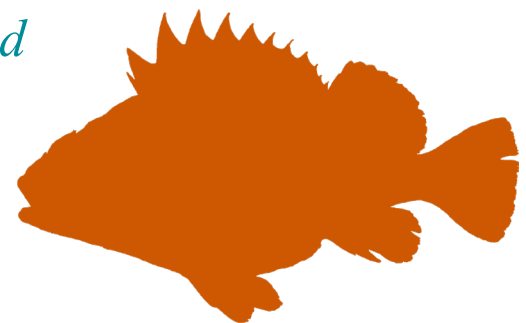
*Changes in **bold green***

Management Area	Current NT-RCA boundaries	Approximate Area opened (sq mi)	Map
North of 46°16' N. lat.	EEZ to 100fm (no change)	0	Page 8
46°16' N. lat. to 42° N. lat.	30 fm to 75 fm	1360.75	Page 9
42° N. lat. to 40°10' N. lat.	30 fm* to 75 fm	143.80	Page 10
40°10' N. lat. to 38°57.5' N. lat.	40 fm* to 75 fm	200.36	Page 11
38°57.5' N. lat. to 34°27' N. lat.	50 fm* to 75 fm	706.53	Page 12
South of 34°27' N. lat.	100 fm to 150 fm (no change)	0	Page 13

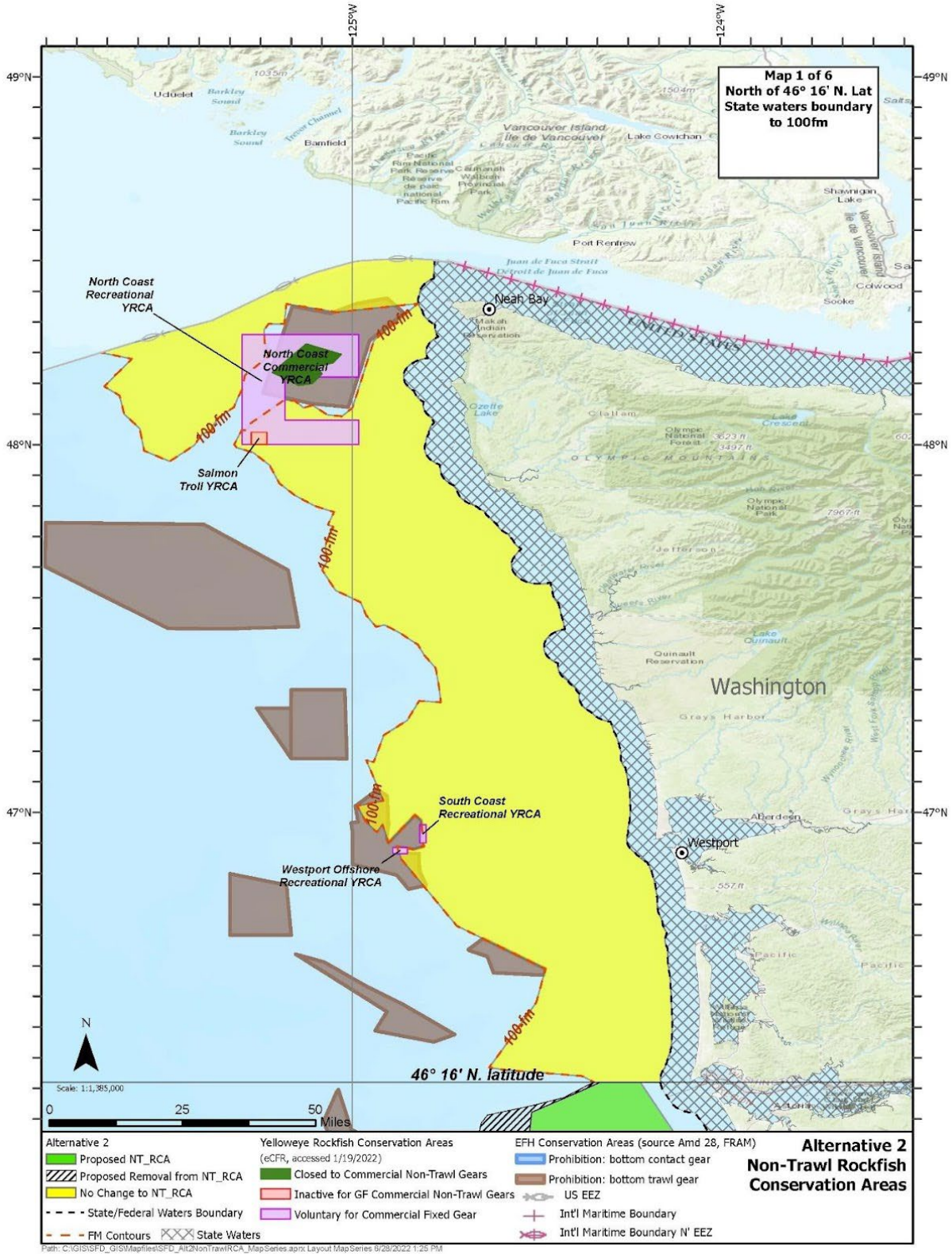
Total Area Opened: 2,411 square miles

Boundary changes apply to groundfish commercial non-trawl fisheries and the non-tribal directed commercial Pacific halibut fishery

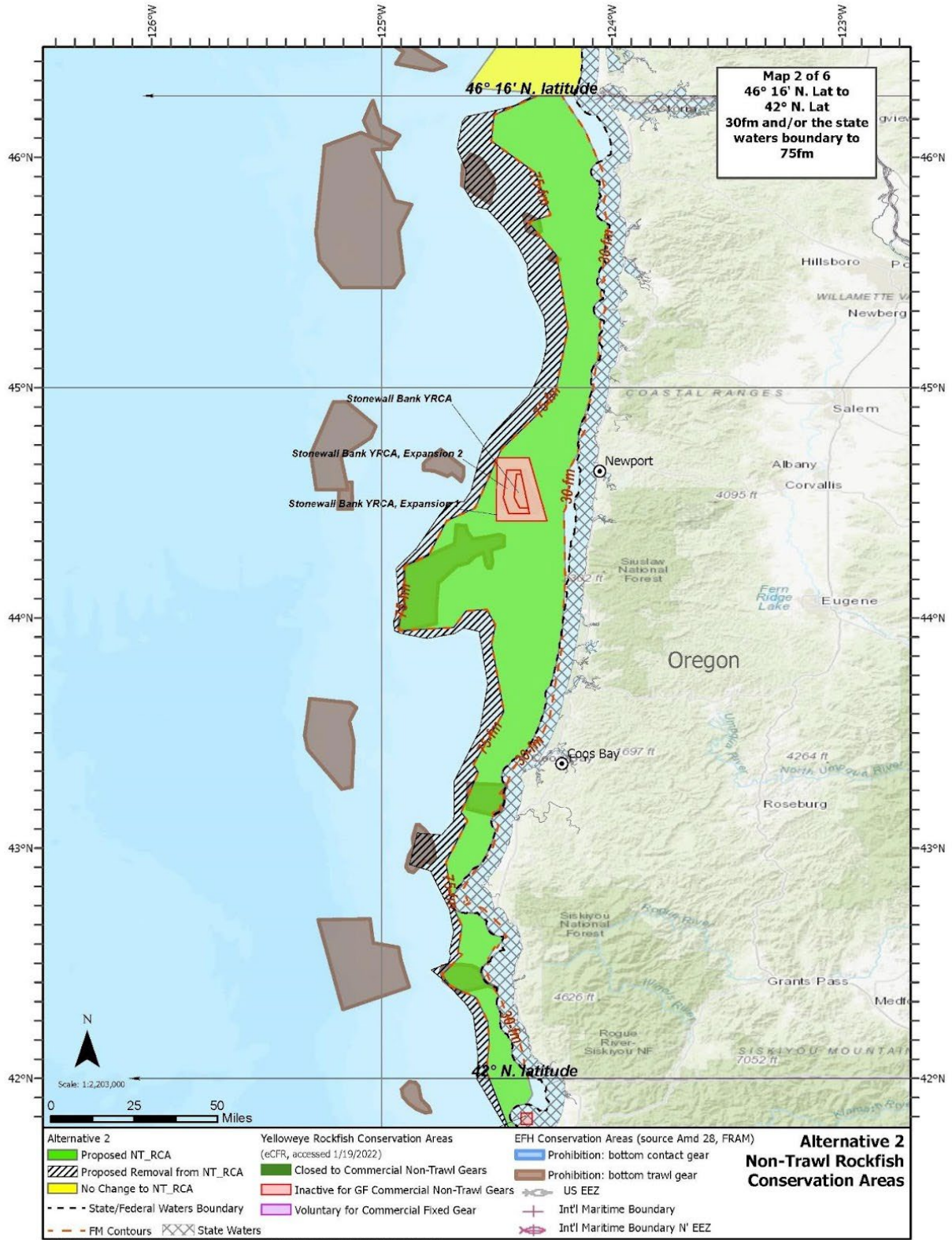
*The Council's November 2023 Inseason Action moved the shoreward boundary of the Non-Trawl RCA between 42° N. lat. and 36° N. lat. to the 3 nm EEZ boundary line, effective January 1, 2024.



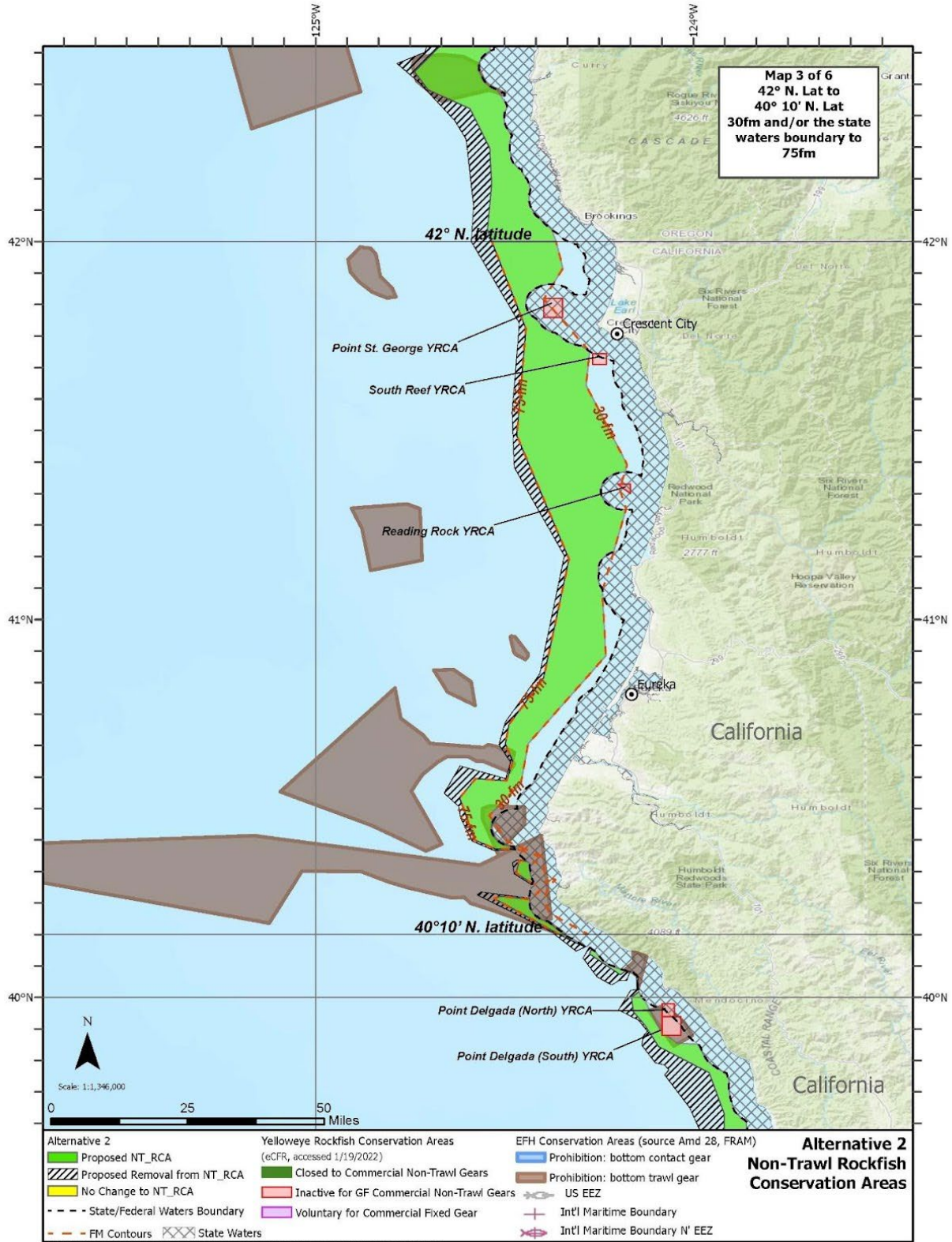
Non-Trawl Rockfish Conservation Area Management – Changes to Boundaries



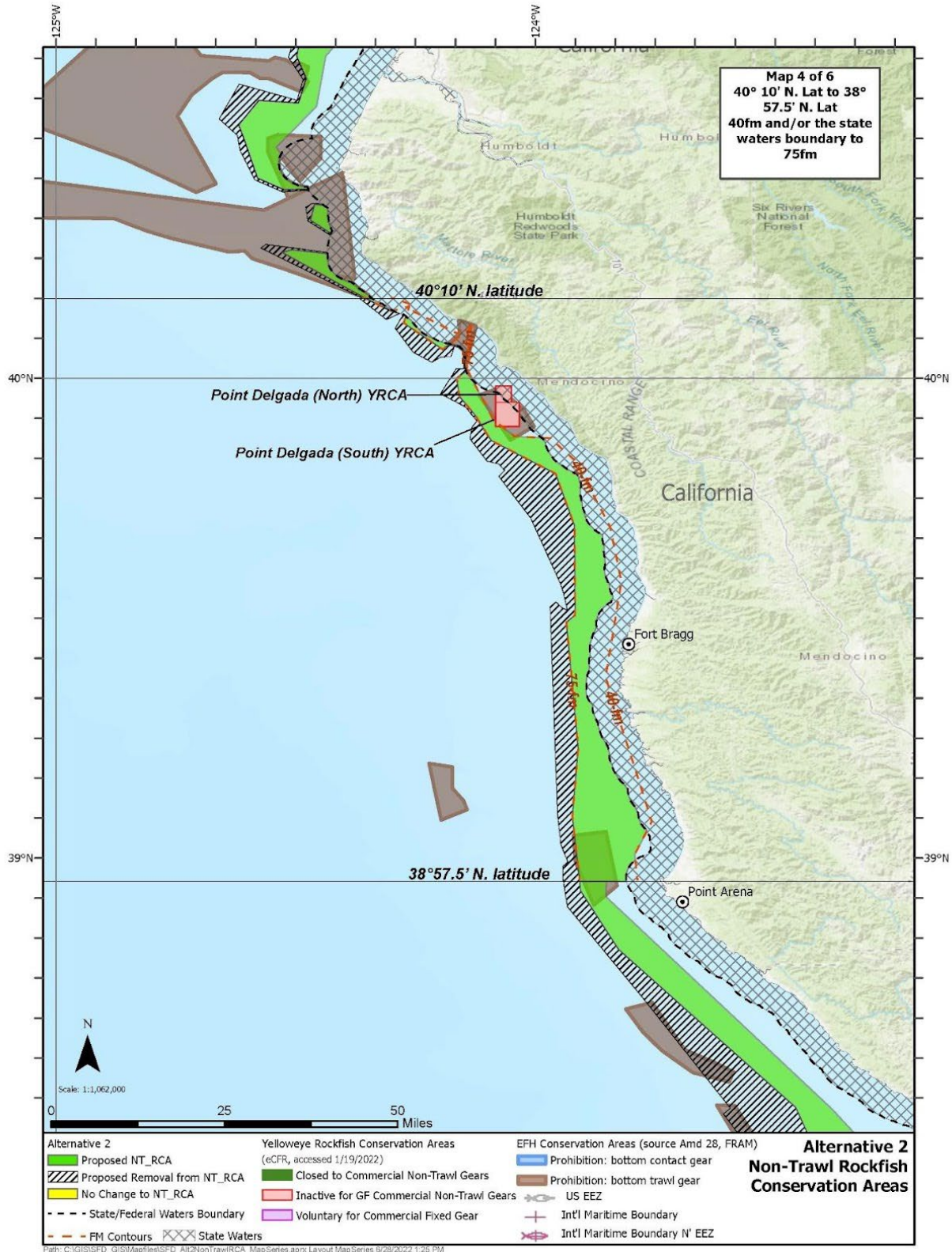
Non-Trawl Rockfish Conservation Area Management – Changes to Boundaries



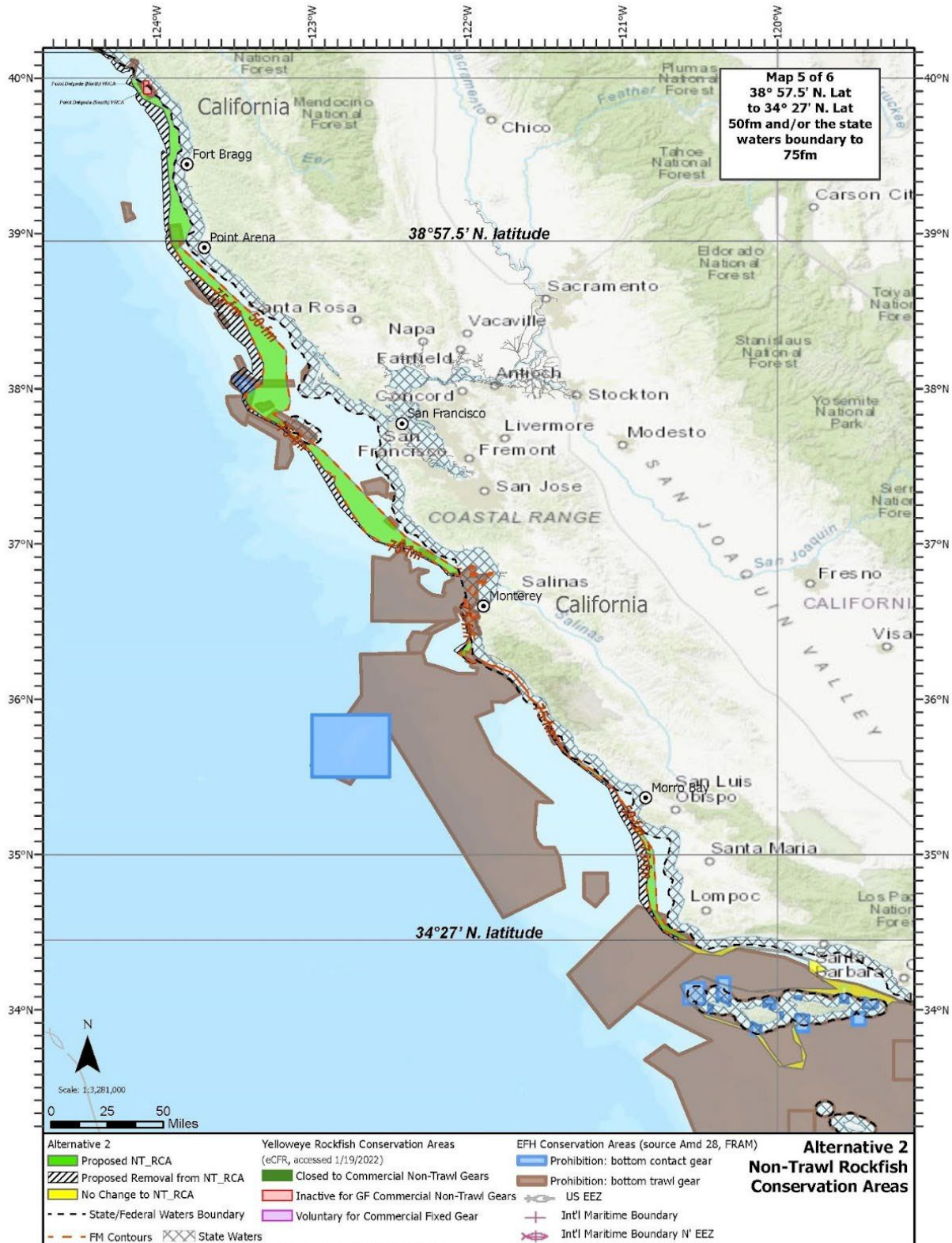
Non-Trawl Rockfish Conservation Area Management – Changes to Boundaries



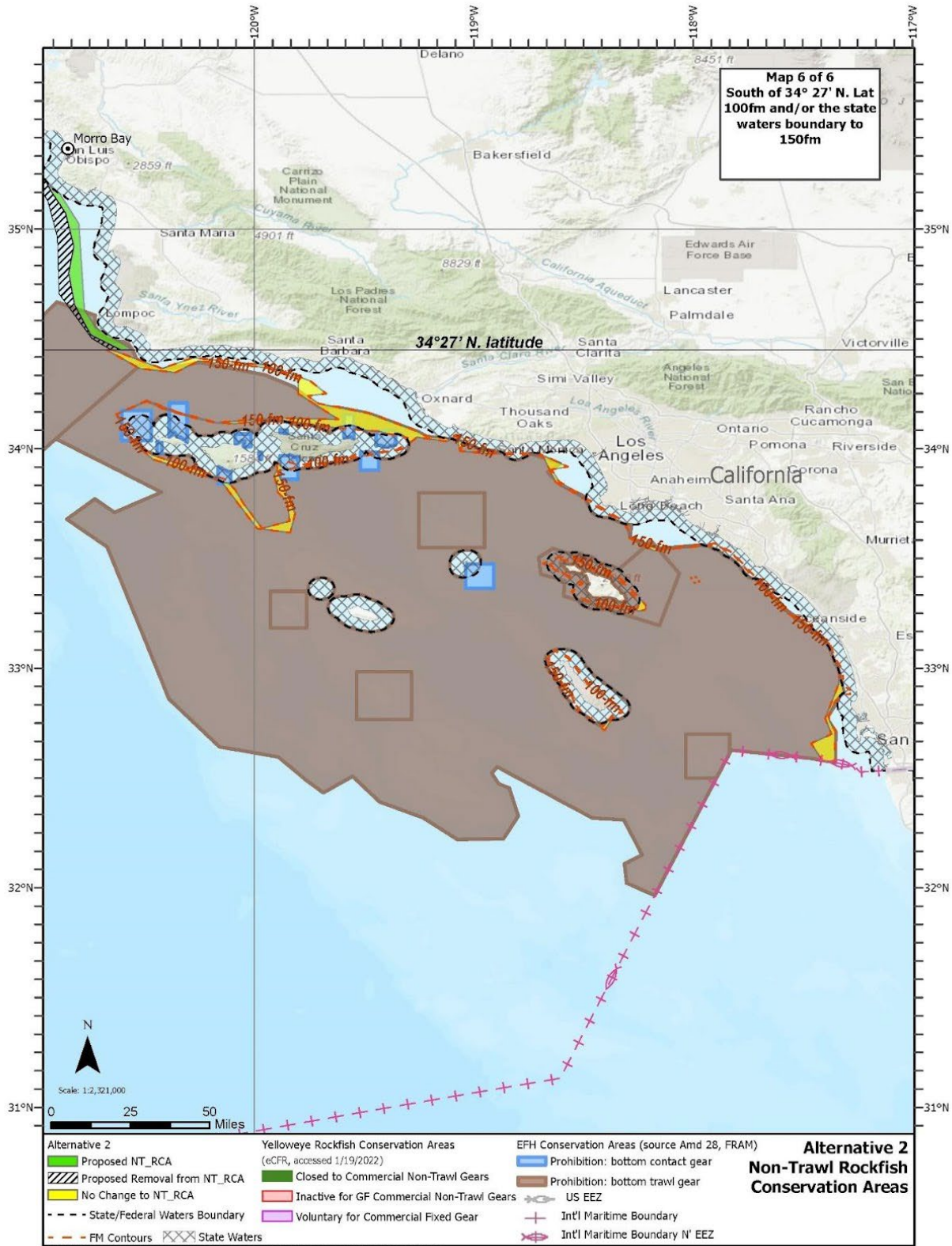
Non-Trawl Rockfish Conservation Area Management – Changes to Boundaries



Non-Trawl Rockfish Conservation Area Management – Changes to Boundaries



Non-Trawl Rockfish Conservation Area Management – Changes to Boundaries



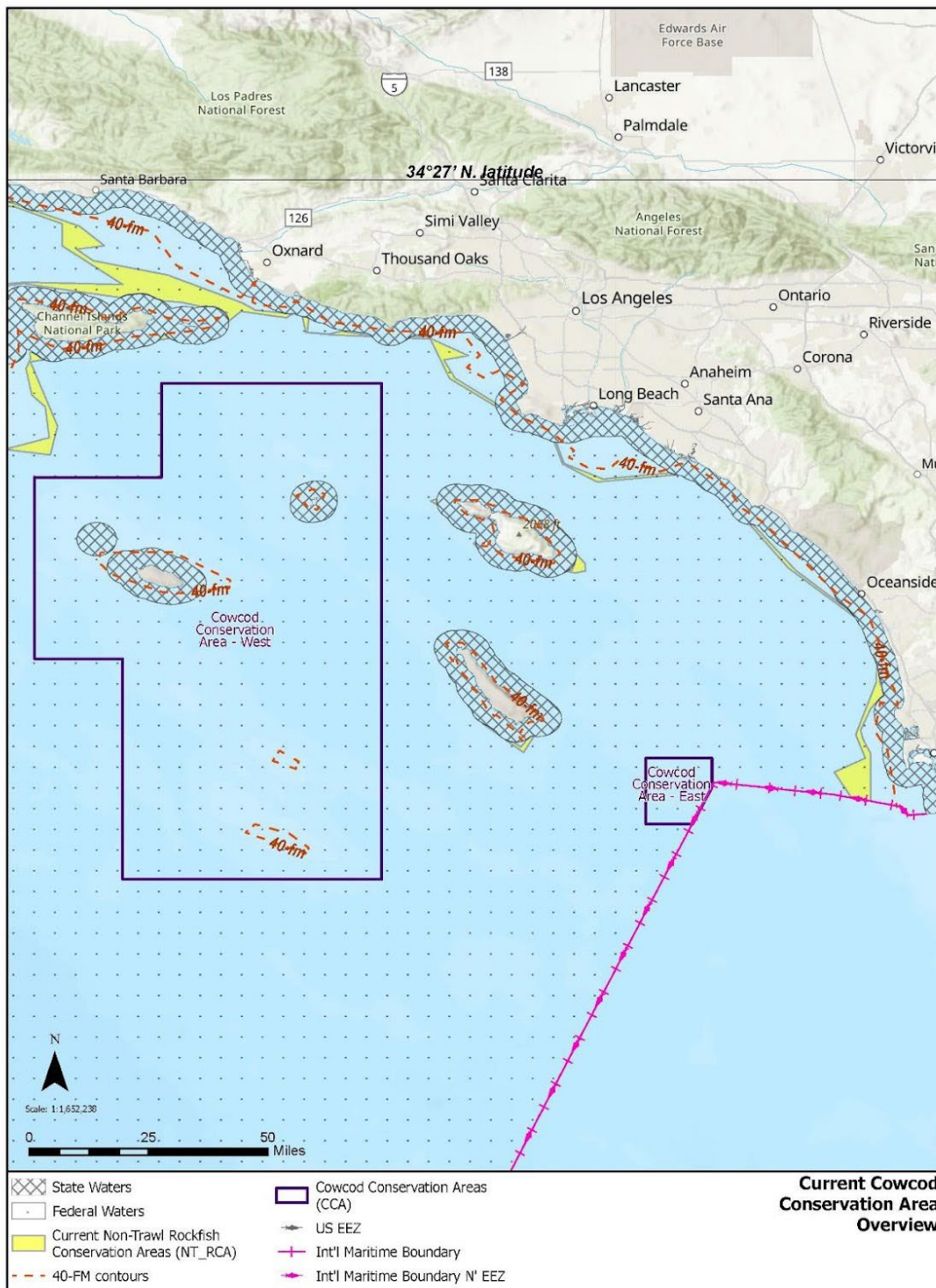
Cowcod Conservation Area Management – Changes to Groundfish Non-Trawl Commercial and Recreational Fishery Restrictions

The CCA was implemented in 2001 to reduce the bycatch of overfished cowcod ([66 FR 2338](#), January 11, 2001), which was declared rebuilt in 2019. Within the CCA, which is comprised of the Western and Eastern CCAs, groundfish fishing by all commercial and recreational groundfish fisheries, including those that use both trawl and non-trawl gear, is prohibited.

Current 2023 regulations prohibit groundfish fishing in the CCA for all groundfish fisheries, both commercial and recreational. Non-trawl fishing is only allowed shoreward of the 40 fm line around the islands and banks within the CCA, and fishing for “other flatfish” is permitted within the CCA with hook-and-line gear only. Starting in 2024:

1. CCA restrictions for non-trawl commercial and recreational fisheries will be removed (*i.e.*, purple boundary on page 15 map will no longer apply).
2. The 40 fm fishing provision will no longer be in place; non-trawl fisheries will be able to operate anywhere in the area, or until the Council enacts closures or other restrictions via an inseason action.
3. The “other flatfish” provision will no longer be in place; non-trawl fisheries will operate according to their respective trip limit tables in Federal regulations.
4. The CCA will remain an active closure for the groundfish trawl sector.

Cowcod Conservation Area Management – Changes to Groundfish Non-Trawl Commercial and Recreational Fishery Restrictions



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Mitigation Measures

Although the Non-Trawl RCA and CCA were created to protect overfished groundfish species, these closures have also provided habitat protection. Moving the seaward boundary of the Non-Trawl RCA will expose both yelloweye rockfish habitat and portions of Essential Fish Habitat Conservation Areas (EFHCAs) off Oregon to non-trawl bottom contact gear (e.g., pot and longline). Removing CCA restrictions for non-trawl gear will expose sensitive environments, including corals and sea pens, to bottom contact gear. NOAA Fisheries is implementing the below closures to mitigate potential impacts from groundfish fishing. Each of these closures is described separately on subsequent pages.

1. Essential Fish Habitat Conservation Areas
2. Yelloweye Rockfish Conservation Areas
3. Groundfish Exclusion Areas

Mitigation Measures – Essential Fish Habitat Conservation Areas

At present, there are two types of EFHCAs: bottom trawl and bottom contact. Both bottom trawl and bottom contact EFHCAs apply to all fisheries and are not limited in application to groundfish fisheries. Amendment 32 creates a new type of EFCHA that prohibits using groundfish non-trawl bottom contact gear (e.g., pot/longline) for all non-trawl groundfish fisheries and the non-tribal directed commercial Pacific halibut fishery.

Specifically, in 2024, the following new EFCHAs will be in place to prohibit non-trawl bottom contact gear:

1. Nehalem Bank East
2. Bandon High Spot East
3. Arago Reef West
4. Garibaldi Reef North
5. Garibaldi Reef South

All of these new EFHCAs overlap partially or entirely with existing bottom trawl EFHCAs (*i.e.*, bottom trawl gear is already prohibited in these areas), which is why the specified gear prohibition only includes non-trawl bottom contact gear. Taking, retaining, or possessing (except for the purpose of continuous transit) groundfish or Pacific halibut in these new EFCHAs will be prohibited. Coordinates for these closures can be found on the NOAA Fisheries Groundfish Closed Areas website at:

<https://www.fisheries.noaa.gov/west-coast/sustainable-fisheries/west-coast-groundfish-closed-areas>

Mitigation Measures – Essential Fish Habitat Conservation Areas

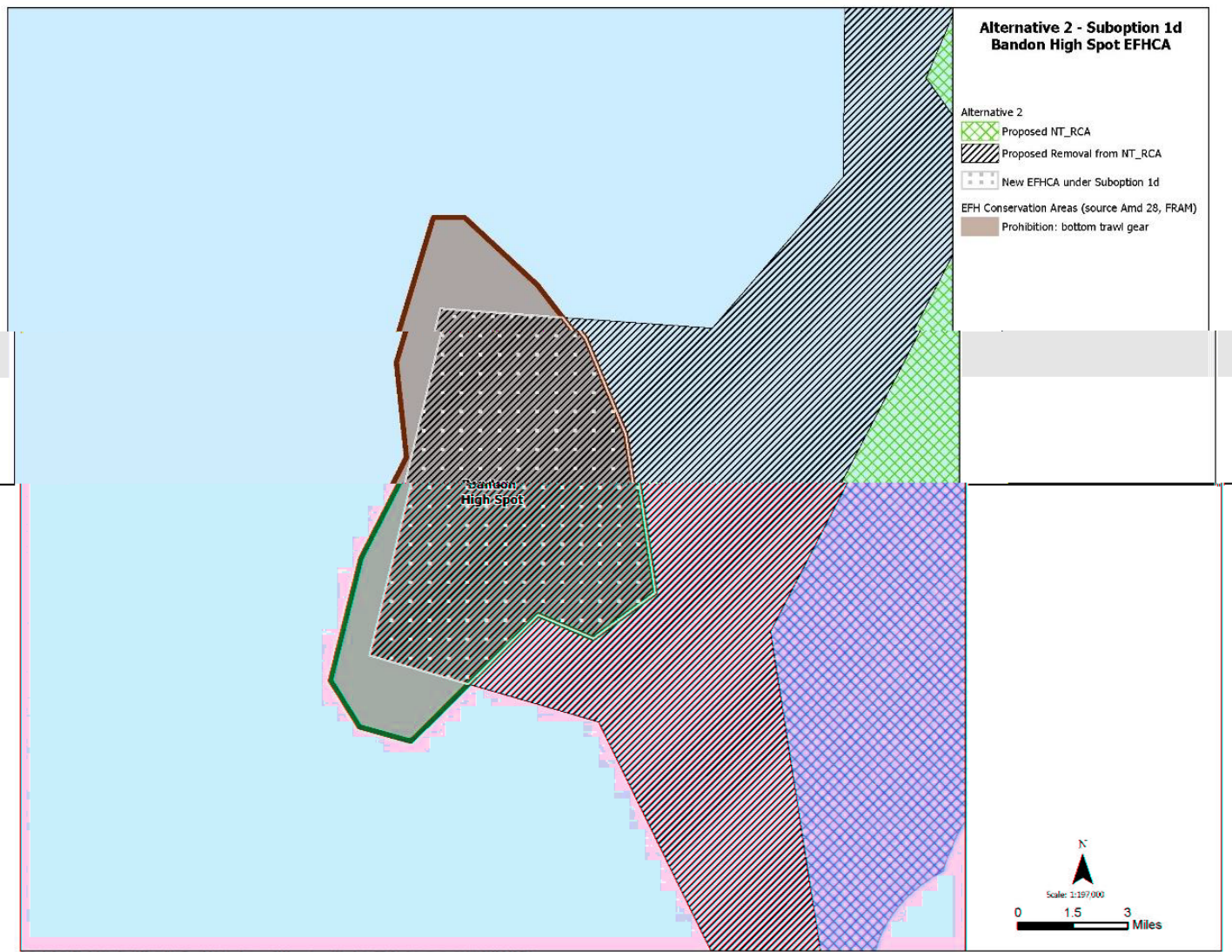
Nehalem Bank East



Within the dotted area, the taking, possessing (except for continuous transit) or retaining of groundfish or Pacific halibut with bottom contact gear is prohibited.

Mitigation Measures – Essential Fish Habitat Conservation Areas

Bandon High Spot East



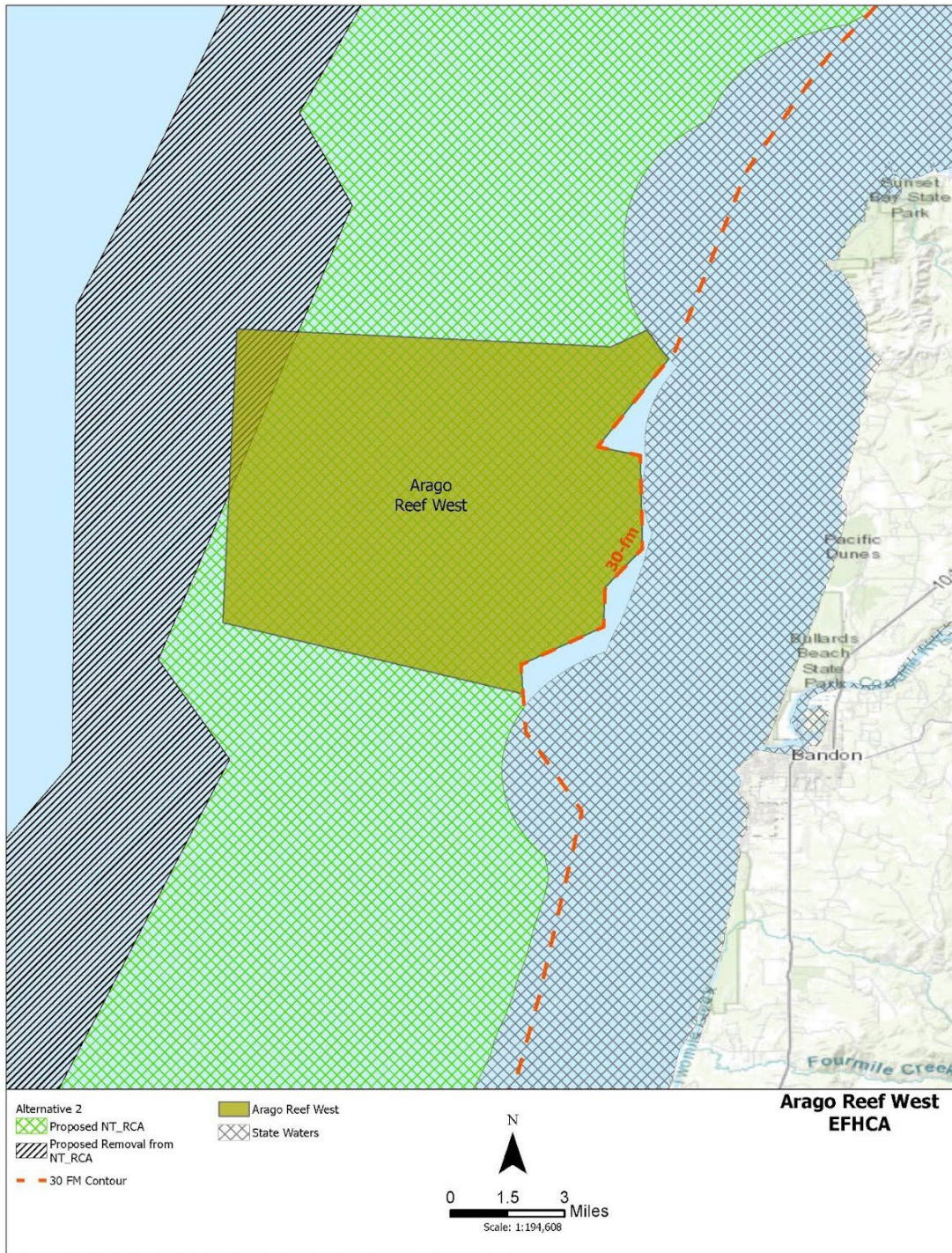
Within the dotted area, the taking, possessing (except for continuous transit) or retaining of groundfish or Pacific halibut with bottom contact gear is prohibited.

Mitigation Measures – Essential Fish Habitat

Conservation Areas

Arago Reef West

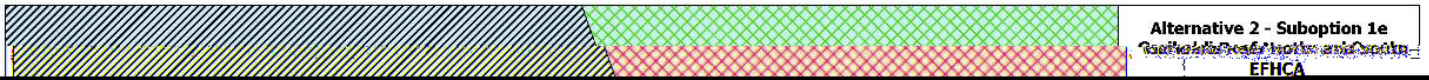
Within the yellow area in federal waters, the taking, possessing (except for continuous transit) or retaining of groundfish or Pacific halibut with bottom contact gear is prohibited.



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Mitigation Measures – Essential Fish Habitat Conservation Areas

Garibaldi Reef North and Garibaldi Reef South



Within the entire dotted area (including seaward and shoreward of the 75 fathom line), the taking, possessing (except for continuous transit) or retaining of groundfish or Pacific halibut with bottom contact gear is prohibited.

Mitigation Measures – Yelloweye Rockfish Conservation Areas

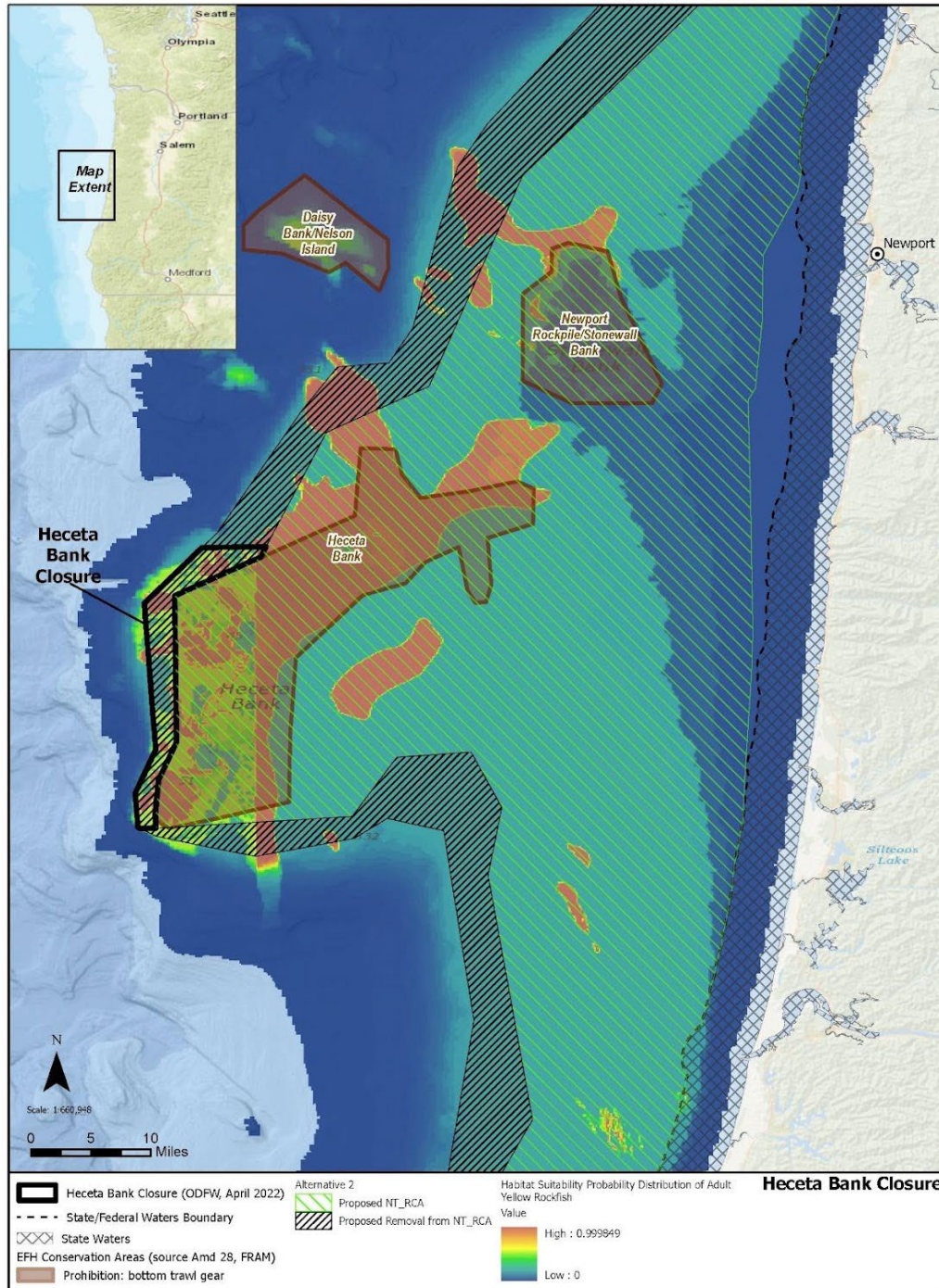
Amendment 32 and its implementing regulations will implement the Heceta Bank YRCA. Three additional YRCAs will be established in regulation, but the closures will not be active at the outset of this rule. Only the Heceta Bank YRCA will be active.

1. Heceta Bank (**active** as of January 1, 2024)
2. Tillamook (not active as of January 1, 2024)
3. Newport (not active as of January 1, 2024)
4. Florence (not active as of January 1, 2024)

Coordinates for these closures can be found on the NOAA Fisheries Groundfish Closed Areas website at: <https://www.fisheries.noaa.gov/west-coast/sustainable-fisheries/west-coast-groundfish-closed-areas>

Mitigation Measures – Yelloweye Rockfish Conservation Areas

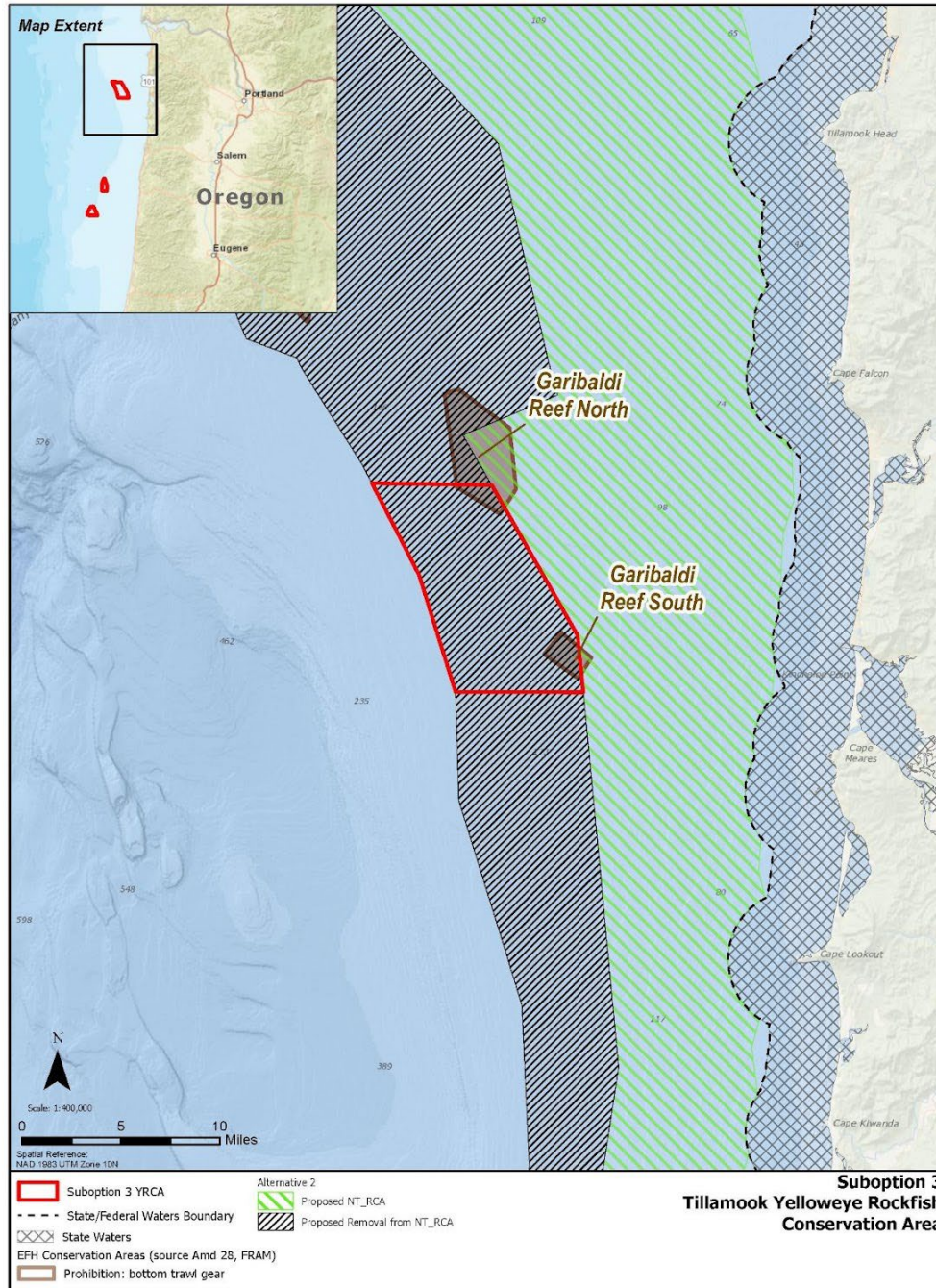
Heceta Bank YRCA



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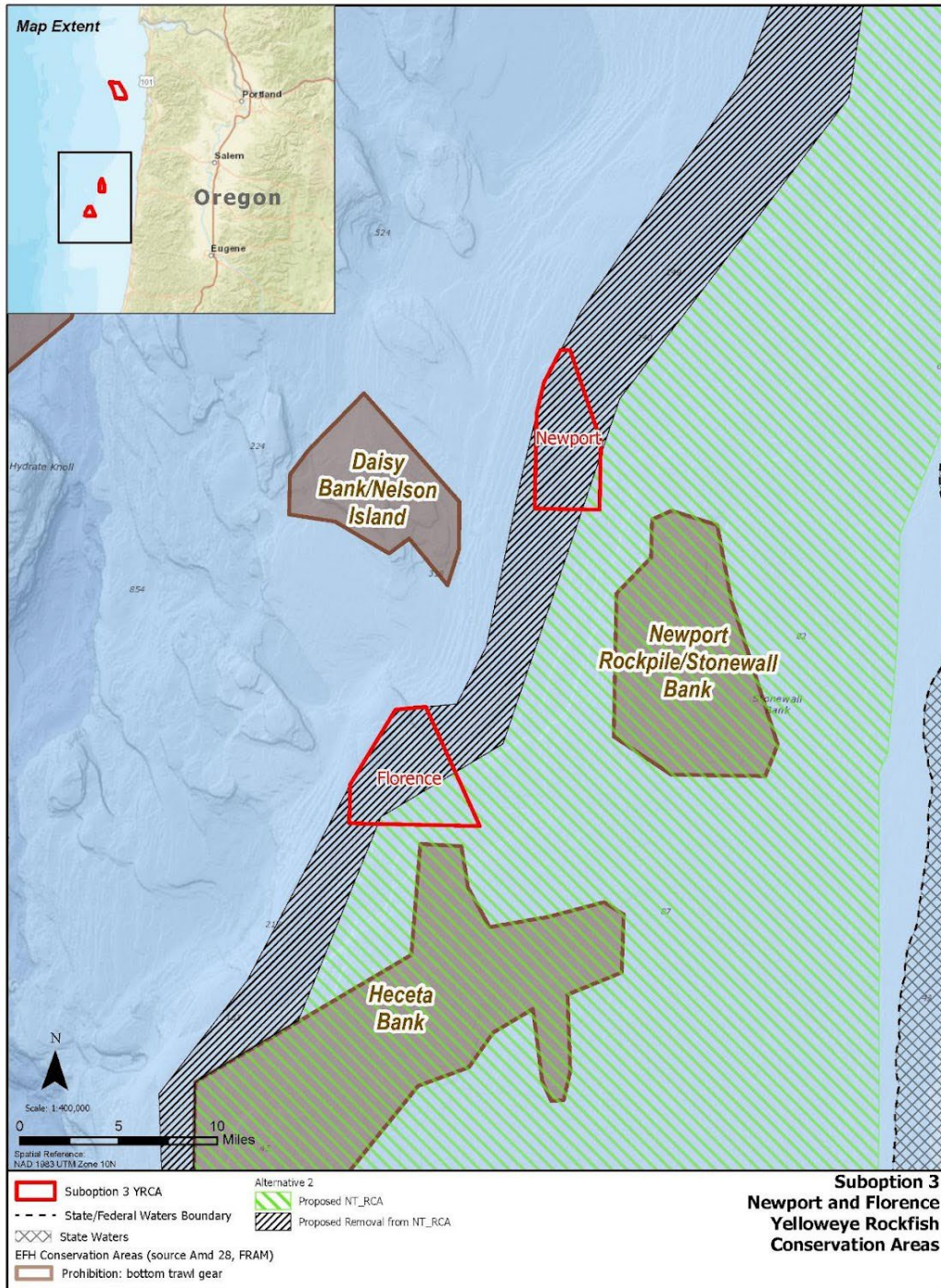
Mitigation Measures – Yelloweye Rockfish Conservation Areas

Tillamook YRCA



Mitigation Measures – Yelloweye Rockfish Conservation Areas

Newport and Florence YRCAs



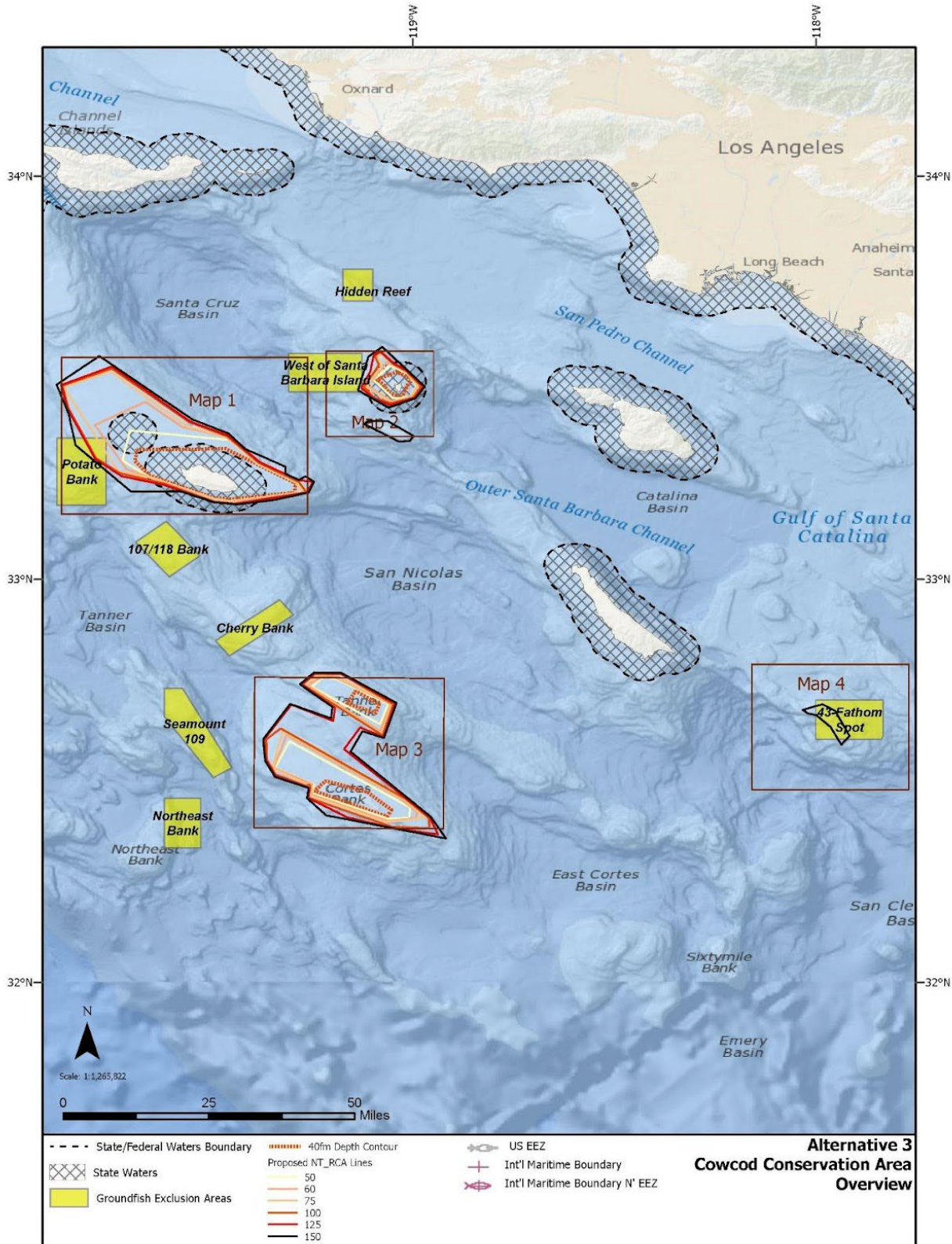
Mitigation Measures – Groundfish Exclusion Areas

Amendment 32 and its implementing regulations will create a new type of closure called a Groundfish Exclusion Area (GEA), which is intended to mitigate the impacts to sensitive areas from certain groundfish fishing activity. The new regulations will implement the following eight GEAs (yellow polygons displayed in map on page 27), which are located in the Southern California Bight:

1. Hidden Reef
2. West of Santa Barbara Island
3. Potato Bank
4. 107/118 Bank
5. Cherry Bank
6. Seamount 109
7. Northeast Bank
8. The 43-Fathom Spot

All commercial and recreational groundfish fishing will be prohibited within the GEAs. Commercial groundfish vessels may continuously transit through GEAs with all gear stowed. Recreational groundfish vessels may continuously transit through the GEAs with no gear deployed. If fishing for non-groundfish species within the GEAs, no groundfish is permitted on board. Coordinates for these closures can be found on the NOAA Fisheries Groundfish Closed Areas website at: <https://www.fisheries.noaa.gov/west-coast/sustainable-fisheries/west-coast-groundfish-closed-areas>

Mitigation Measures – Groundfish Exclusion Areas



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