

Washington, U.S. v. Oregon, and Hoh Indian Tribe et al. v. Baldrige.

Due to the projected low returns for Columbia River chinook salmon stocks, non-treaty commercial troll and recreational ocean fisheries north of Cape Falcon prohibit the retention of chinook salmon in 1995. Snake River wild spring chinook and Snake River wild summer chinook comprise only a very small proportion of total chinook abundance in the Council management area, and it is unlikely that these fish are significantly impacted in Council area fisheries. For Snake River wild fall chinook, which are caught in Council area fisheries, the STT estimated a 65-percent reduction in the ocean exploitation rate in Council area fisheries under the recommended 1995 ocean measures compared to the 1988-93 average.

Commercial Troll Fisheries

The commercial fishery for all salmon except chinook will open between the United States-Canada border and Carroll Island, WA, on August 5 through the earliest of September 15 or attainment of the 18,750-coho quota or the 160,000-pink-salmon guideline. The fishery will follow a cycle of 4 days open and 3 days closed, with a possession and landing limit of 80 coho per opening, and gear restricted to flashers with barbless, bare, blued hooks or flashers with barbless hooks and pink hoochies of 3 inches (7.6 cm) or less.

Recreational Fisheries

Recreational all-salmon-except-chinook fisheries are divided into four subareas. Opening dates, subarea quotas, bag limits, and area and gear restrictions are described below. The fisheries in all subareas will close by September 28 or at attainment of the subarea coho salmon quota.

From the Queets River to Leadbetter Point and from Leadbetter Point to Cape Falcon, the fishery will open July 24, with coho subarea quotas of 20,800 and 28,125, respectively. Both subareas will be open Sunday through Thursday only, with a two-fish daily bag limit; no person may retain more than four fish in 7 consecutive days; and the area will be closed 0-3 miles (4.8 km) off shore and in the control zone at the Columbia River mouth.

From Cape Alava to Queets River, the fishery will open August 1, with a 1,460 coho subarea quota, open Sunday through Thursday only, will be subject

to a two-fish daily bag limit, and closed 0-3 miles (4.8 km) of shore.

From the U.S.-Canada border to Cape Alava, the fishery will open August 1 with a 5,850-coho subarea quota, open 7 days per week with a two-fish daily bag limit, and closed 0-3 miles (4.8 km) off shore south of Skagway Rock.

Treaty Indian Fisheries

Ocean salmon management measures proposed by the treaty Indian tribes are part of a comprehensive package of Indian and non-Indian salmon fisheries in the ocean and inside waters agreed to by the various parties. Treaty troll seasons, minimum length restrictions, and gear restrictions were developed by the tribes and agreed to by the Council. Treaty Indian troll fisheries north of Cape Falcon are governed by quotas of 12,000 chinook and 25,000 coho salmon. The all-except-coho seasons will open May 1 and extend through May 31 or until the overall harvest guideline of 7,000 chinook is reached, whichever is earlier. The all-salmon seasons will open August 1 and extend through the earliest of September 30 or attainment of the chinook or coho quotas. The minimum length restrictions for all treaty ocean fisheries, excluding ceremonial and subsistence harvest, is 24 inches (61.0 cm) for chinook and 16 inches (40.6 cm) for coho.

1996 Fisheries

The timing of the March and April Council meetings makes it impracticable for the Council to recommend to NMFS fishing seasons that begin before May 1 of the same year. Therefore, openings for 1996 fishing seasons earlier than May 1 are established in this notification. The Council recommended, and NMFS concurs, that the following two recreational seasons will open in 1996. First, the area from Point Arena to the United States-Mexico border will open on March 2 (the nearest Saturday to March 1) for all salmon. This fishery will be subject to a two-fish daily bag limit unless an evaluation indicates low coho abundance is anticipated in 1996, in which case inseason action may be taken to prohibit retention of coho. The control zone near the mouth of San Francisco Bay will be closed from March 2 through March 31. Second, the area from Horse Mountain to Point Arena will open on February 17 (the nearest Saturday to February 15) for all

salmon, except coho, with a two-fish daily bag limit.

The following tables and text are the management measures recommended by the Council for 1995 and, as specified, for 1996. The Secretary concurs with these recommendations and finds them responsive to the goals of the FMP, the requirements of the resource, and the socio-economic factors affecting resource users. The management measures are consistent with requirements of the Magnuson Fishery Conservation and Management Act and other applicable law, including U.S. obligations to Indian tribes with Federally recognized fishing rights.

Halibut Retention

In accordance with the Northern Pacific Halibut Act, regulations governing the Pacific halibut fishery were published in the **Federal Register** on March 20, 1995 (60 FR 14651) under 50 CFR part 301. The regulations state that vessels participating in the salmon troll fishery in Area 2A (all waters off the States of Washington, Oregon, and California), that have obtained the appropriate International Pacific Halibut Commission (IPHC) license, may retain halibut caught incidentally during the May through June salmon fisheries, in conformance with the annual salmon management measures.

As provided by 50 CFR 301.7(c) and 301.23(e), the following measures have been approved. Trollers must obtain a license from the IPHC by May 1 to retain Pacific halibut caught incidental to the salmon troll fishery during May through June in Area 2A. A salmon troller may participate in this fishery or in the directed commercial fishery targeting halibut, but not both. During the May-through-June troll fishery, no more than one halibut may be landed for each 20 chinook landed by a salmon troller. Any halibut retained must be in compliance with the minimum size limit of 32 inches (81.3 cm). A salmon troller must have 20 chinook on board before retaining a halibut. The Oregon Department of Fish and Wildlife will monitor landings, and if they are projected to exceed the 16,068-pound (7.3-mt) preseason allocation specified at 50 CFR 301.10(b)(2), NMFS will take inseason action to close the incidental halibut fishery through a notice published in the **Federal Register**.

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