

Washington and Oregon already have the same or similar requirements. If approved, the regulation is expected to be implemented in 1995.

(14) *Experimental fisheries.* U.S. vessels operating under an experimental fishing permit issued under 50 CFR 663.10 also are subject to these restrictions, unless otherwise provided in the permit.

(15) Paragraphs IV.B. through IV.I. below pertain to the commercial groundfish fishery. The provisions in paragraphs IV.B. through IV.I. that are not covered under the headings "limited-entry" or "open-access" apply to all vessels in the commercial fishery that take and retain groundfish, unless otherwise stated. Paragraph IV.J. pertains to the recreational fishery.

B. Widow Rockfish

(1) *Limited-entry fishery.* The cumulative trip limit for widow rockfish is 30,000 lb (13,608 kg) per vessel per month. (Widow rockfish also are called brownies.)

(2) *Open-access fishery.* See paragraph IV.I. below.

C. *Sebastes* Complex (Including Bocaccio, Yellowtail, and Canary Rockfish)

(1) *General.* (a) *Sebastes* complex means all rockfish managed by the FMP except Pacific ocean perch (*Sebastes alutus*), widow rockfish (*S. entomelas*), shortbelly rockfish (*S. jordani*), and *Sebastes* spp. (also called thornyheads, idiot, or channel rockfish). Yellowtail rockfish (*S. flavidus*) are commonly called greenies. Bocaccio (*S. paucispinis*) are commonly called rock salmon. Canary rockfish (*S. pinniger*) are commonly called orange rockfish.

(b) Cape Lookout means 45°20'15" N. lat.

(c) Cape Mendocino means 40°30'00" N. lat.

(2) *Limited-entry fishery*—(a) *Cumulative trip limits*—(i) *North of Cape Lookout.* The cumulative trip limit for the *Sebastes* complex taken and retained north of Cape Lookout is 35,000 lb (15,876 kg) per vessel per month. Within this cumulative trip limit for the *Sebastes* complex, no more than 14,000 lb (6,350 kg) may be yellowtail rockfish taken and retained north of Cape Lookout, and no more than 6,000 lb (2,722 kg) may be canary rockfish.

(ii) *Cape Lookout to Cape Mendocino.* The cumulative trip limit for the *Sebastes* complex taken and retained between Cape Lookout and Cape Mendocino is 50,000 lb (22,680 kg) per vessel per month. Within this cumulative trip limit for the *Sebastes* complex, no more than 30,000 lb

(13,608 kg) may be yellowtail rockfish taken and retained between Cape Lookout and Cape Mendocino, and no more than 6,000 lb (2,722 kg) may be canary rockfish.

(iii) *South of Cape Mendocino.* The cumulative trip limit for the *Sebastes* complex taken and retained south of Cape Mendocino is 100,000 lb (45,359 kg) per vessel per month. Within this cumulative trip limit for the *Sebastes* complex, no more than 30,000 lb (13,608 kg) may be bocaccio taken and retained south of Cape Mendocino, and no more than 6,000 lb (2,722 kg) may be canary rockfish.

(b) For operating in areas with different trip limits for the same species, see paragraph IV.A.(12) above.

(c) *State declarations.* The provisions of paragraph IV.A.(12) do not apply to vessels fishing in conformance with this paragraph. The States of Oregon and Washington are implementing declaration procedures that enable a vessel that fishes or transits both north and south of Cape Lookout during a month to retain the larger cumulative limit for the *Sebastes* complex and yellowtail rockfish taken and retained south of Cape Lookout. Declarations must be made, according to state law, to the state where the fish will be landed. To make a declaration or for further information, contact: Washington Department of Fish and Wildlife, Montesano, WA, at 206-249-4628; or Oregon Department of Fish and Wildlife, Newport, OR, at 503-867-4741 or 503-867-0300.

(3) *Open-access fishery.* See paragraph IV.I. below. The State declaration procedures are available to all vessels, whether in the limited-entry or open-access fishery.

D. POP

(1) *Limited-entry fishery.* The cumulative trip limit for POP is 6,000 lb (2,722 kg) per vessel per month.

(2) *Open-access fishery.* See paragraph IV.I. below.

E. Sablefish and the DTS Complex (Dover Sole, Thornyheads, and Trawl-Caught Sablefish)

(1) *1995 Management goal.* The sablefish fishery will be managed to achieve the 7,100-mt harvest guideline in 1995.

(2) *Washington coastal tribal fisheries.* The U.S. Government recognizes that the Makah, Hoh, Quileute, and Quinault tribes have treaty rights to fish for groundfish. Each tribe has such right in its usual and accustomed fishing grounds. The tribal treaty allocation for sablefish for 1995 is 780 mt. The tribes

will regulate their fisheries so as not to exceed this allocation.

(3) *Limited-entry fishery*—(a) *Gear allocations.* After subtracting the tribal-imposed catch limit and the open-access allocation from the harvest guideline, the remainder will be allocated 58 percent to the trawl fishery and 42 percent to the nontrawl fishery.

Note: The 1995 harvest guideline for sablefish north of 36° N. lat. is 7,100 mt. The 780-mt tribal allocation is subtracted, and the limited-entry and open-access allocations are based on the remaining 6,320 mt. The limited-entry allocation for 1995 of 5,900 mt is allocated 3,420 mt (58 percent) to the trawl fishery and 2,480 mt (42 percent) to the nontrawl fishery. The trawl and nontrawl gear allocations are harvest guidelines in 1995, which means the fishery will be managed so that the harvest guidelines are not exceeded, but will not necessarily be closed if they are reached.

(b) *Trip and size limits.* These provisions apply to Dover sole and thornyheads caught with any limited-entry gear and to sablefish caught with limited-entry trawl gear.

(i) "DTS complex" means Dover sole (*Microstomus pacificus*), thornyheads (*Sebastes* spp.), and trawl-caught sablefish (*Anoplopoma fimbria*). Sablefish also are called blackcod. Thornyheads, also called idiots, channel rockfish, or hardheads, include two species, shortspine thornyheads (*S. alascanus*) and longspine thornyheads (*S. altivelis*).

(ii) *Trip limits.* (A) *North of Cape Mendocino.* The cumulative trip limit for the DTS complex taken and retained north of Cape Mendocino is 35,000 lb (15,876 kg) per vessel per month. Within this cumulative trip limit, no more than 6,000 lb (2,722 kg) may be sablefish, and no more than 20,000 lb (9,072 kg) may be thornyheads. No more than 4,000 lb (1,814 kg) of the thornyheads may be shortspine thornyheads.

(B) *South of Cape Mendocino.* The cumulative trip limit for the DTS complex taken and retained south of Cape Mendocino is 50,000 lb (22,680 kg) per vessel per month. Within this cumulative trip limit, no more than 6,000 lb (2,722 kg) may be sablefish, and no more than 20,000 lb (9,072 kg) may be thornyheads. No more than 4,000 lb (1,814 kg) of the thornyheads may be shortspine thornyheads.

(C) In any trip, no more than 1,000 lb (454 kg) or 33.333 percent of the legal thornyheads and Dover sole, whichever is greater, may be trawl-caught sablefish; and no more than 500 lb (227 kg) may be trawl-caught sablefish smaller than 22 inches (56 cm) total length.