

trawl gear. No groundfish landing by shrimp or prawn pot (trap) gear may be in excess of the limited-entry trip limit for nontrawl gear.

(d) This rule is not intended to supersede any more restrictive State law relating to the retention of groundfish taken in shrimp or prawn pots or traps.

(4) *California halibut or sea cucumber trawl.* The trip limit for a vessel participating in the California halibut fishery or in the sea cucumber fishery south of Point Arena, CA (38°57'30" N. lat.) is 500 lb (227 kg) of groundfish per vessel per fishing trip.

(a) A trawl vessel will be considered participating in the California halibut fishery if:

(i) It is not fishing under a valid limited-entry permit issued under 50 CFR part 663 for trawl gear;

(ii) All fishing on the trip takes place south of Point Arena; and

(iii) The landing includes California halibut of a size required by California Fish and Game Code section 8392(a), which states: "No California halibut may be taken, possessed or sold which measures less than 22 inches in total length, unless it weighs four pounds or more in the round, three and one-half pounds or more dressed with the head on, or three pounds or more dressed with the head off. Total length means the shortest distance between the tip of the jaw or snout, whichever extends farthest while the mouth is closed, and the tip of the longest lobe of the tail, measured while the halibut is lying flat in natural repose, without resort to any force other than the swinging or fanning of the tail."

(b) A trawl vessel will be considered participating in the sea cucumber fishery if:

(i) It is not fishing under a valid limited-entry permit issued under 50 CFR part 663 for trawl gear;

(ii) All fishing on the trip takes place south of Point Arena; and

(iii) The landing includes sea cucumbers taken in accordance with California Fish and Game Code section 8396, which requires a permit issued by the State of California.

(c) No groundfish landing by California halibut or sea cucumber trawl may be in excess of the limited-entry trip limit for groundfish trawl gear.

J. Recreational Fishery

(1) *California.* The bag limits for each person engaged in recreational fishing seaward of the State of California are: five lingcod per day, which may be no smaller than 22 inches (56 cm) total length; and 15 rockfish per day. Multi-day limits are authorized by a valid permit issued by the State of California

and must not exceed the daily limit multiplied by the number of days in the fishing trip.

(2) *Oregon.* The bag limits for each person engaged in recreational fishing seaward of the State of Oregon are: Three lingcod per day, which may be no smaller than 22 inches (56 cm) total length; and 15 rockfish per day, of which no more than 10 may be black rockfish (*Sebastes melanops*).

(3) *Washington.* The bag limits for each person engaged in recreational fishing seaward of the State of Washington are: three lingcod per day no smaller than 22 inches (56 cm) total length, and either 15 rockfish per day south of Leadbetter Point (46°38'10" N. lat.) or 12 rockfish per day north of Leadbetter Point.

Classification

The final specifications and management measures for 1995 are issued under the authority of and are in accordance with 50 CFR parts 611 and 663, the regulations implementing the FMP.

Much of the data necessary for these specifications and management measures come from the current fishing season. Because of the timing of the receipt, development, review, and analysis of the fishery information necessary for setting the initial specifications and management measures, and the need to have these specifications and management measures in effect at the beginning of the fishing year, there is good cause under section 553(b) of the Administrative Procedure Act to waive prior notice and opportunity for public comment for the specifications and management measures. Amendment 4 to the FMP, implemented on January 1, 1991, recognized these timeliness considerations, and set up a system by which the interested public was notified, through **Federal Register** publication and Council mailings, of meetings and of the development of these measures, and was provided the opportunity to comment during the Council process. The public participated in GMT, Groundfish Advisory Subpanel, Scientific and Statistical Committee, and Council meetings in August and October 1994 where these recommendations were formulated. Additional public comments will be accepted for 30 days after publication of this document in the **Federal Register**. The Assistant Administrator will consider all comments made during the public comment period and may propose modifications as appropriate.

Because this rule is being issued without prior notice and opportunity for public comment, preparation of a Regulatory Flexibility Analysis is not required and none has been prepared.

The Administrative Procedure Act requires that publication of an action be made not less than 30 days before its effective date unless the Assistant Administrator finds and publishes with the rule good cause for an earlier effective date. These specifications announce the harvest goals and the management measures designed to achieve those harvest goals in 1995. A delay in implementation could compromise the management strategies that are based on the projected landings from these trip limits. Therefore, a delay in effectiveness is contrary to the public interest and these actions are effective on January 4, 1995.

Dated: January 4, 1995.

Charles Karnella,

*Acting Program Management Officer,
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RIN 0648-AD80

North Pacific Fisheries Research Plan

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule.

SUMMARY: NMFS issues a final rule to clarify and make minor changes to the regulations implementing the North Pacific Fisheries Research Plan (Research Plan). This action clarifies 1995 observer coverage requirements, revises the definition of the term "processor," specifies who is and is not included in the definition of processor, and exempts certain processors included in the definition from the requirement to have a Federal Processor Permit. These clarifications are incorporated as minor revisions to the instructions accompanying the Federal Processor Permit Application. In addition, the definition of "round weight" is revised to conform it to recent regulatory changes. This final rule is consistent with the intent of the regulations implementing the Research Plan and is intended to reduce confusion during the first year of the fee-collection program authorized under the Research Plan.

EFFECTIVE DATE: January 4, 1995.