

42°49.5' N.	69°40' W.
43°12' N.	69°00' W.
Maine shore-	69°00' W.
line	

Vessels fishing under this exemption are restricted to a minimum mesh size of 10 inches (25.4 cm)(diamond). No species other than monkfish, or lobsters in an amount not to exceed 10 percent by weight of the total catch on board or 200 lobsters (whichever is less), may be retained when fishing in this exempted fishery.

#### GOM/GB Dogfish Exempted Fishery

For the period July 1, 1996, through August 31, 1996, an exempted fishery for dogfish may also be conducted in the area defined above by vessels using sink gillnet gear with a minimum mesh size of 6.5 inches (16.5 cm)(diamond). No species other than dogfish, or lobsters in an amount not to exceed 10 percent by weight of the total catch on board or 200 lobsters (whichever is less), may be retained when fishing in this exemption program.

#### SNE Monkfish Exempted Fishery

For the period July 1, 1996, through October 31, 1996, an exempted fishery for monkfish may be conducted by vessels using sink gillnet gear within a specific portion of the SNE regulated mesh area. This is defined by a line running south from the Massachusetts shoreline at 41°35' N. lat. and 70°00' W. long. and bounded on the west by the Mid-Atlantic regulated mesh area. Vessels fishing under this exemption are restricted to a minimum mesh size of 12 inches (25.4 cm)(diamond). No species other than monkfish may be retained when fishing in this exempted fishery.

#### SNE Dogfish Exempted Fishery Modification

Analysis of the available data also revealed that an existing fishery exemption, allowing sink gillnets in the dogfish fishery to be used year-round in the SNE regulated mesh area, should be restricted by a season and a minimum mesh-size requirement to remain consistent with the bycatch control objective. NMFS observer data documents that several trips exceeded the bycatch limit during the months of November through April. Therefore, the Regional Director has determined that, during the months of November through April, this fishery should no longer be exempted; NMFS intends to address this through future rulemaking. To provide additional assurance against bycatch of regulated multispecies during the time period the fishery is exempted, effective from July 29, 1996 through October 31, 1996, a minimum mesh size of 6 inches

(15.24 cm)(diamond) must be used. Further, from July 1, 1996, through October 31, 1996, this fishery is restricted to the area described above for the SNE monkfish exempted fishery (i.e., the area defined by a line running south from the Massachusetts shoreline at 41°35' N. lat. and 70°00' W. long. and bounded on the west by the Mid-Atlantic regulated mesh area). The allowed bycatch species for this exemption are not changed.

#### Cultivator Shoals Whiting Exemption Program Bycatch

For the period July 1, 1996, through December 31, 1996, the bycatch of squid is to be allowed under the existing time, area, and mesh-size restrictions of the Cultivator Shoals whiting fishery exemption.

The Regional Director has informed the New England Fishery Management Council of the proposals to allow the sink gillnet fisheries for monkfish and dogfish in the GOM/GB area and to add squid to the list of allowable bycatch in the Cultivator Shoals whiting fishery during 1996. No objection was raised. The Regional Director has determined that the GOM/GB sink gillnet fisheries, as described above, and the previously exempted SNE sink gillnet fishery for dogfish, as temporarily modified by this action, meet the exemption qualification requirements specified in § 648.80(a)(7).

Fish that are caught, possessed, or landed in accordance with provisions of this action will be deemed by NMFS to be in accordance with 50 CFR 648.80.

#### Classification

This action is taken under 50 CFR 648.80 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: June 28, 1996.

Richard H. Schaefer,  
Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

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#### 50 CFR Part 660

[Docket No. 951227306-5306-01 ; I.D. 062696A]

#### Pacific Coast Groundfish Fishery; Trip Limit Reductions

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

**ACTION:** Fishing restrictions; request for comments.

**SUMMARY:** NMFS announces further restrictions to the Pacific coast groundfish fisheries for Pacific ocean perch (POP) coastwide and Dover sole north of Cape Mendocino, CA (40°30' N. lat.). These actions are authorized by regulations implementing the Pacific Coast Groundfish Fishery Management Plan (FMP), which governs the groundfish fishery off Washington, Oregon, and California. These restrictions are intended to keep landings as close as possible to the 1996 harvest guidelines for these species.

**DATES:** Effective from 0001 hours (local time) July 1, 1996, until the effective date of the 1997 annual specifications and management measures for the Pacific Coast groundfish fishery, which will be published in the *Federal Register*. Comments will be accepted through July 22, 1996.

**ADDRESSES:** Submit comments to William Stelle, Jr., Director, Northwest Region (Director), National Marine Fisheries Service, 7600 Sand Point Way NE., BIN-C15700, Seattle, WA 98115-0070; or Hilda Diaz-Soltero, Director, Southwest Region, National Marine Fisheries Service, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213.

**FOR FURTHER INFORMATION CONTACT:** William L. Robinson at 206-526-6140; or Rodney McInnis at 310-980-4040.

**SUPPLEMENTARY INFORMATION:** The following changes to routine management measures for POP and Dover sole were recommended by the Pacific Fishery Management Council (Council) at its June 18-19, 1996, meeting in Seattle, WA.

POP. POP has been overfished and has been managed under a rebuilding schedule since 1981. The acceptable biological catch (ABC) is zero, and the harvest guideline is intended to provide only for incidental catch of POP taken while fishing for other species. The harvest guideline was reduced from 1,300 metric tons (mt) in 1995 to 750 mt on January 1, 1996, at which time a 2-month cumulative trip limit of 10,000 lb (4,536 kg) was implemented.

The best available information at the June 1996 Council meeting indicated that 315 mt of POP had been taken through May 31, 1996, and that the 750-mt harvest guideline would be reached by September 28, 1996, if the rate of landings is not slowed. The Council recommended that the 2-month cumulative limit for POP be reduced from 10,000 lb (4,536 kg) to 8,000 lb (3,629 kg) coastwide to keep landings within the harvest guideline in 1996.

*Dover sole.* Dover sole is one component of the Dover sole,

thornyheads (both shortspine and longspine), and trawl-caught sablefish (DTS) complex. In recent years, the DTS complex has been managed with cumulative trip limits, with specific limits on sablefish and thornyheads. The remainder of catch could be Dover sole. The industry generally concentrated on the higher valued fish, thornyheads and sablefish. However, at its extreme, the entire cumulative limit for the DTS complex (since January 1, 1996, 70,000 lb (31,752 kg) per 2-month period) could consist of Dover sole. Dover sole currently is managed with a coastwide harvest guideline, which includes a harvest guideline for Dover sole in the Columbia area (43°00'–47°30' N. lat.), where harvest typically has been the highest.

The best available information at the June 1996 Council meeting indicated that 1,361 mt of Dover sole in the Columbia area had been taken through May 31, 1996, and that the 2,850-mt harvest guideline for this area would be reached by October 25, 1996, if the rate of landings is not slowed. The Council recommended that an explicit 2-month cumulative limit of 38,000 lb (17,236 kg) be specified for Dover sole taken and retained north of Cape Mendocino, CA. This is the amount of the DTS complex that would remain under the existing cumulative 2-month limit north of Cape Mendocino if the sub-limits for sablefish and thornyheads are fully taken. The 2-month cumulative limit for Dover sole is applied north of Cape Mendocino because this encompasses the Columbia area, and is consistent with current 2-month cumulative limits for the DTS complex (which differ north and south of Cape Mendocino) without unduly restricting the fishery south of Cape Mendocino.

**NMFS action.** NMFS concurs with the Council's recommendations, which are intended to keep landings of POP and Dover sole within their 1996 harvest guidelines. These restrictions apply to both the limited entry and open access fisheries, including exempt trawl gear used to harvest pink shrimp and prawns. As stated in the annual management measures at 61 FR 279 (January 4, 1996), "A vessel operating in the open access fishery must not exceed any trip limit, frequency limit, and/or size limit for the open access fishery; or for the same gear and/or subarea in the limited entry fishery; or, in any calendar month, 50 percent of any 2-month cumulative trip limit for the same gear and/or subarea in the limited entry fishery, called the '50-percent monthly limit.'" The annual management measures announced at 61 FR 279, as amended, are modified as follows:

1. Paragraphs IV.D.(1) and (2) of the annual management measures for POP are revised to read as follows:

"D.(1) *Limited entry fishery.* The cumulative trip limit for POP is 8,000 lb (3,629 kg) per vessel per 2-month period. The 60-percent monthly limit is 4,800 lb (2,177 kg).

D.(2) *Open access fishery.* Within the limits at paragraph IV.I. for the open access fishery, the 50-percent monthly limit for POP is 4,000 lb (1,814 kg)."

2. Paragraphs IV.E.(3)(b)(i), IV.E.(3)(b)(iii), and IV.E.(4) of the annual management measures for the DTS complex are revised to read as follows:

"E.(3)(b)(i). *North of Cape Mendocino.* The cumulative trip limit for the DTS complex taken and retained north of Cape Mendocino is 70,000 lb (31,752 kg) per vessel per 2-month period. Within this cumulative trip limit, no more than 12,000 lb (5,443 kg) may be sablefish, no more than 38,000 lb (17,236 kg) may be Dover sole, 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."

"E.(3)(b)(iii) The 60-percent monthly limits are: For the DTS complex, 42,000 lb (19,051 kg) north of Cape Mendocino, and 60,000 lb (27,216 kg) south of Cape Mendocino; for trawl-caught sablefish, 7,200 lb (3,266 kg); for Dover sole north of Cape Mendocino, 22,800 lb (10,342 kg); for both species of thornyheads combined, 12,000 lb (5,443 kg); and for shortspine thornyheads 2,400 lb (1,089 kg)."

"E.(4) *Open access fishery.* Within the limits in paragraph IV.I. of the annual management measures, a vessel using exempt trawl gear in the open access fishery is subject to the 50-percent monthly limits which are as follows: For the DTS complex, 35,000 lb (15,876 kg) north of Cape Mendocino, and 50,000 lb (22,680 kg) south of Cape Mendocino; for trawl-caught sablefish, 6,000 lb (2,722 kg); for Dover sole north of Cape Mendocino, 19,000 lb (8,618 kg); for both species of thornyheads combined, 10,000 lb (4,536 kg); and for shortspine thornyheads, 2,000 lb (907 kg)."

#### Classification

These actions are authorized by the regulations implementing the FMP. The determination to take these actions is based on the most recent data available. The aggregate data upon which the determinations are based are available for public inspection at the office of the Director, Northwest Region, NMFS (see ADDRESSES) during business hours. Because of the need for immediate action to slow the rate of harvest of Dover sole and POP, and because the

public had an opportunity to comment on the action at the June 1996 Council meeting, NMFS has determined that good cause exists for this document to be published without affording a prior opportunity for public comment or a 30-day delayed effectiveness period. These actions are taken under the authority of 50 CFR 660.323(b)(1)(i), and are exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: June 28, 1996.

Richard W. Surdi,

*Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.*

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#### 50 CFR Part 660

[Docket No. 960126016-6121-04; I.D. 062896A]

#### Ocean Salmon Fisheries Off the Coasts of Washington, Oregon, and California; Closure from Point Arena, CA, to the U.S.-Mexican Border

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

**ACTION:** Closure.

**SUMMARY:** NMFS announces that the recreational salmon fishery in the area from Point Arena, CA, to the U.S.-Mexican border, in the exclusive economic zone (EEZ), closes at 0001 hours, July 2, 1996 and will remain closed until 0001 hours, July 15, 1996. The season in the EEZ will reopen under the terms of the preseason announcement of the 1996 management measures. NMFS has determined that the 2-week closure is necessary to offset the increased impacts on Sacramento River winter chinook salmon resulting from the decision by the California Fish and Game Commission (Commission) to delay implementing an increase in the recreational minimum size limit for chinook salmon within state waters. This action is necessary for ocean salmon fisheries to remain in conformance with the March 8, 1996, biological opinion issued by NMFS and is intended to provide protection to Sacramento River winter chinook salmon.

**DATES:** Effective 0001 hours local time, July 2, 1996, through 0001 hours local time, July 15, 1996. Comments will be accepted through July 15, 1996.

**ADDRESSES:** Comments may be mailed to Hilda Diaz-Soltero, Director, Southwest Region, National Marine Fisheries