the Council's GMT and considered at the Council's October 1994 meeting before recommending the 1995 harvest guidelines. These factors also were considered when establishing the 20-year rebuilding schedule for POP in the 1981 FMP, in the most recent stock assessments for POP (in the August 1992 SAFE document) and shortspine thornyheads (in the October 1994 SAFE document), and in the GMT's recommendations for 1995 (GMT Report F.3., October 1994).

Overfishing. The FMP defines "overfishing" as a fishing mortality rate that would, in the long-term, reduce the spawning biomass per recruit below 20 percent of what it would have been if the stock had never been exploited (unless the species is above the level that would produce MSY). The rate is defined in terms of the percentage of the stock removed per year. Therefore, high catch rates can cause overfishing at any stock abundance level. Conversely, overfishing does not necessarily occur for stocks at low abundance levels if the catch can be kept to a sufficiently small fraction of that stock level. The target rate of exploitation for Pacific Coast groundfish typically is the rate that would reduce spawning biomass per recruit to 35 percent of its unfished level. This desired rate of fishing will always be less than the overfishing rate, so there is a buffer between the management target and the level that could harm the stock's long-term potential productivity. If the overfishing level is reached, the Guidelines for Fishery Management Plans at 50 CFR part 602 require the Council to identify actions to be undertaken to alleviate overfishing.

None of the ABCs for 1995 exceeds the level of overfishing. However, for those species whose harvest guideline exceeds ABC (POP and shortspine thornyheads), the harvest guideline approaches overfishing. In addition, new assessments for Dover sole in the Columbia area, lingcod, and canary rockfish indicate that the overfishing level for these species may have been reached in the recent past. Further discussion appears in the GMT Supplemental Report F.3.(1) (October 1994). Efforts have been taken to avoid overfishing by establishment or reduction of harvest guidelines in 1995 (discussed above) and by more restrictive trip limit management for these species.

Discards. In 1995, the ABCs represent total catch, and most of the harvest guidelines, except for yellowtail rockfish and Pacific whiting, represent only that portion of the catch that is landed. Stock assessments and inseason

catch monitoring are designed to account for all fishing mortality, including that resulting from fish discarded at sea. Discards of rockfish and sablefish in the fishery for whiting processed at sea are well monitored and are accounted for inseason as they occur. In the other fisheries, discards caused by trip limits are not monitored, so discard factors have been developed to account for this extra catch. A level previously measured for widow rockfish (16 percent) in a scientific study is assumed to be appropriate for the commercial fisheries for widow rockfish, yellowtail rockfish, and POP. A lower level of 8 percent is used for the deepwater thornyhead fishery. The discard factors are typically applied by setting the harvest guideline for landed catch at a level that is equal to the ABC minus expected discard. More detailed information is found in the Council's SAFE document.

Foreign and domestic fisheries. For those species needing individual management that will not be fully utilized by domestic processors or harvesters, and that can be caught without severely affecting species that are fully utilized by domestic processors or harvesters, foreign or joint venture operations may occur. A joint venture is U.S. vessels delivering their catch to foreign processing vessels in the EEZ. The harvest guidelines or quotas for these species may be apportioned to domestic annual harvest (DAH, which includes domestic annual processing (DAP) and joint venture processing (JVP)) and the total allowable level of foreign fishing (TALFF). In 1995, there initially are no surplus groundfish available for joint venture or foreign fishing operations. Consequently, all the harvest guidelines in 1995 are designated entirely for DAP (which also equals DAH), and JVP and TALFF are set at zero.

In the unlikely event that fish are reallocated inseason and a foreign or joint venture fishery should occur, the incidental catch levels for a whiting fishery would be the same as announced at Table 2, footnote 1 of 58 FR 2990 (January 7, 1993), and for a jack mackerel joint venture, initially would be the same as those suggested in section 12.5.2 of the FMP, but could be changed during the year.

II. The Limited-Entry Program

Amendment 6 to the FMP established a limited-entry program which, on January 1, 1994, divided the commercial groundfish fishery into two components, the limited-entry fishery and the open-access fishery, each of which has its own allocations and

management measures. The limited-entry and open-access allocations are calculated according to a formula specified at section II.E. of the appendix to 50 CFR part 663. At its October 1994 meeting, the Council recommended the species and areas subject to open-access and limited-entry allocations in 1995, and the Regional Director calculated the amounts of the allocations, that are presented in Table 1. Unless otherwise specified, the limited-entry and open-access allocations are treated as harvest guidelines in 1995.

Open-Access Allocations

The open-access fishery means the fishery composed of vessels using (1) exempt gear, or (2) longline or pot (trap) gear used pursuant to the harvest guidelines, quotas, and other management measures governing the open-access fishery. Exempt gear means all types of fishing gear except groundfish trawl, longline, and pots. (Exempt gear includes trawls used to harvest pink shrimp or spot or ridgeback prawns (shrimp trawls), and, south of Point Arena, CA, California halibut or sea cucumbers.)

The open-access allocation is derived by applying the open-access allocation percentage to the annual harvest guideline or quota after subtracting any set asides for recreational fishing or treaty Indians (see sections II.E. (b) and (c) of the Appendix to 50 CFR part 663). For those species in which the openaccess share would have been less than 1 percent, no open-access allocation is specified because significant openaccess effort is not anticipated. At the time the calculations were made, the status of some vessels (whether they would receive a limited-entry permit) was not certain. The catch by these vessels was divided equally between the limited-entry and open-access allocations. These amounts are minor and would not affect the level of trip limits for the limited-entry or openaccess fisheries.

Limited-Entry Allocations

The limited-entry fishery means the fishery composed of vessels using limited-entry gear fished pursuant to the harvest guidelines, quotas, and other management measures governing the limited-entry fishery. Limited-entry gear means longline, pot, or groundfish trawl gear used under the authority of a valid limited-entry permit, issued under 50 CFR part 663, affixed with an endorsement for that gear. (Groundfish trawl gear excludes shrimp trawls used to harvest pink shrimp, spot prawns, or ridgeback prawns, and other trawls used