

groundfish requires a State "fish ticket" or similar documentation.

### Classification

The Assistant Administrator for Fisheries, NOAA (AA), has determined that this final rule is necessary for management of the Pacific Coast groundfish fishery and that it is consistent with the Magnuson Act and other applicable law.

The Council prepared an EA for this rule (contained in the EA/RIR) and the AA concluded that there would be no significant impact on the environment.

This rule has been determined to be not significant for purposes of E.O. 12866.

### List of Subjects in 50 CFR Part 663

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: June 28, 1995.

### Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 663 is amended as follows:

### PART 663—PACIFIC COAST GROUND FISH FISHERY

1. The authority citation for part 663 continues to read as follows:

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

2. Effective August 2, 1995, § 663.23, paragraph (b)(2) is revised to read as follows. This amendment supersedes the document published at 60 FR 10040, February 23, 1995.

### § 663.23 Catch restrictions.

\* \* \* \* \*

(b) \* \* \*

(2) *Nontrawl sablefish*. This paragraph (b)(2) applies to the limited entry fishery, except for paragraphs (b)(2)(i) and (v), which also apply to the open-access fishery. All times are local times.

(i) *Pre-season closure—Open-access and limited entry fisheries*. (A) Sablefish taken with fixed gear in the limited entry or open access fishery in the EEZ may not be retained or landed from 12 noon August 3 through 12 noon August 6.

(B) All fixed gear used to take and retain groundfish must be out of EEZ waters from 12 noon August 3 through 12 noon August 6, except that pot gear used to take and retain groundfish may be deployed and baited in the EEZ after 12 noon on August 5.

(ii) *Regular season—Limited entry fishery*. The regular season for the limited entry nontrawl sablefish fishery begins at 1201 hours on August 6. During the regular season, the limited entry nontrawl sablefish fishery may be subject to trip limits to protect juvenile sablefish. The regular season will end when 70 percent of the limited entry nontrawl allocation has been or is projected to be taken. The end of the regular season may be announced in the **Federal Register** either before or during the regular season.

(iii) *Mop-up season—Limited entry fishery*. A mop-up season to take the remainder of the limited entry nontrawl allocation will begin about 3 weeks after the end of the regular season, or as soon

as practicable thereafter. During the mop-up fishery, a cumulative trip limit will be imposed. The length of the mop-up season and amount of the cumulative trip limit, including the time period to which it applies, will be determined by the Regional Director in consultation with the Council or its designees, and will be based primarily on the amount of fish remaining in the allocation and the number of participants anticipated. The Regional Director may determine that too little of the nontrawl allocation remains to conduct an orderly or manageable fishery, in which case there will not be a mop-up season.

(iv) The dates and times that the regular season ends (and trip limits on sablefish of all sizes are resumed) and the mop-up season begins and ends, and the size of the trip limit for the mop-up fishery, will be announced in the **Federal Register**, and may be modified. Unless otherwise announced, these seasons will begin and end at 12 noon on the specified date.

(v) Trip and/or frequency limits may be imposed in the limited entry fishery before and after the regular season, and after the mop-up season, under paragraph (c) of this section. Trip and/or size limits to protect juvenile sablefish in the limited entry or open-access fisheries also may be imposed at any time under paragraph (c) of this section. Trip limits may be imposed in the open-access fishery at any time under paragraph (c) of this section.

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