Dated: February 28, 1995.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR parts 672 and 675 are amended as follows:

PART 672—GROUNDFISH OF THE **GULF OF ALASKA**

1. The authority citation for part 672 continues to read as follows:

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

2. In § 672.20, paragraphs (f)(1)(ii) and (f)(3)(ii) are revised to read as follows:

§ 672.20 General limitations.

(f) * * * (1) * * *

(ii) Hook-and-line and pot gear fisheries. (A) After consultation with the Council, NMFS will publish notification in the **Federal Register** specifying the proposed and final halibut PSC limits for vessels using hook-and-line gear. The notification also may specify a halibut PSC limit for the pot gear fisheries. The halibut PSC limit specified for vessels using hook-andline gear may be further apportioned, as bycatch allowances, to the fishery categories listed in paragraph (f)(1)(ii)(B) of this section, based on each category's proportional share of the anticipated halibut bycatch mortality during a fishing year and the need to optimize the amount of total groundfish harvest under the halibut PSC limit. The sum of all bycatch allowances will equal the halibut PSC limit established under this paragraph (f)(1)(ii).

(B) For purposes of apportioning the hook-and-line halibut PSC limit among fisheries, the following fishery categories are specified and defined in terms of round-weight equivalents of those groundfish species for which a TAC has been specified under paragraphs (a) and (c) of this section:

(1) Demersal shelf rockfish in the Southeast Outside District. Fishing with hook-and-line gear in the Southeast Outside District of the Eastern Regulatory Area of the Gulf of Alaska during any weekly reporting period that results in a retained catch of demersal shelf rockfish that is greater than the retained amount of any other fishery category defined under this paragraph (f)(1)(ii)(B).

(2) Sablefish fishery. Fishing with hook-and-line gear during any weekly reporting period that results in a retained catch of sablefish that is greater than the retained amount of any other fishery category defined under this paragraph (f)(1)(ii)(B).

(3) Other hook-and-line gear fishery. Fishing with hook-and-line gear during any weekly reporting period that results in a retained catch of groundfish and is not a demersal shelf rockfish fishery or a sablefish fishery as defined under paragraphs (f)(1)(ii)(B) (1) and (2) of this section.

(3) * * *

(ii) Hook-and-line fisheries. If, during the fishing year, the Regional Director determines that U.S. fishing vessels participating in any of the three hookand-line gear fishery categories listed in paragraph (f)(1)(ii)(B) of this section will catch the Pacific halibut bycatch allowance, or apportionments thereof, specified for that fishery category under paragraph (f)(1) of this section, NMFS will publish notification in the **Federal Register** closing the entire Gulf of Alaska or the applicable regulatory area or district to directed fishing with hookand-line gear for each species and/or species group that comprises that fishing category.

PART 675—GROUNDFISH OF THE **BERING SEA AND ALEUTIAN ISLANDS AREA**

3. The authority citation for part 675 continues to read as follows:

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

4. In § 675.21, paragraph (b)(2)(ii) (B) and (C) are redesignated as paragraphs (b)(2)(ii) (D) and (E) respectively; paragraphs (b)(3)(ii) and (b)(3)(iii) are redesignated as paragraphs (b)(3)(ii)(A) and (b)(3)(ii)(B), respectively; newly redesignated paragraph (b)(2)(ii)(E) and paragraphs (b)(4) and (d) are revised; and new paragraphs (b)(2)(ii)(B), (b)(2)(ii)(C), (b)(3)(ii) heading, and paragraph (b)(3)(iii) are added to read as follows:

§ 675.21 Prohibited species catch (PSC) limitations.

(b) * * *

(2) * * *

(ii) * * *

(B) Sablefish hook-and-line fishery. Fishing with hook-and-line gear during any weekly reporting period that results in a retained catch of sablefish that is greater than the retained amount of any other groundfish species.

(C) Groundfish jig gear fishery. Fishing with jig gear during any weekly reporting period that results in a retained catch of groundfish. *

(E) Other nontrawl fisheries. Fishing for groundfish with nontrawl gear

during any weekly reporting period that results in a retained catch of groundfish and does not qualify as a Pacific cod hook-and-line fishery, a sablefish hookand-line fishery, a groundfish jig gear fishery, or a groundfish pot gear fishery as defined under this paragraph (b)(2)(ii).

(3) * *

(ii) Management of seasonal trawl fishery bycatch allowances. * * *

(iii) Management of seasonal nontrawl fishery bycatch allowances. (A) Any unused portion of a seasonal fishery bycatch allowance made under paragraph (b)(3)(i) of this section will be reapportioned to the fishery's remaining seasonal bycatch allowances during a current fishing year in a manner determined by NMFS, after consultation with the Council, based on the types of information listed under paragraph (b)(3)(i) of this section.

(B) If a seasonal apportionment of a fishery bycatch allowance made under paragraph (b)(3)(i) of this section is exceeded, the amount by which the seasonal apportionment is exceeded will be deducted from the fishery's remaining seasonal bycatch allowances during a current fishing year in a manner determined by NMFS, after consultation with the Council, based on the types of information listed under paragraph (b)(3)(i) of this section.

(4) NMFS will publish annually in the **Federal Register** the proposed and final bycatch allowances, seasonal apportionments thereof, and the manner in which seasonal apportionments of nontrawl fishery bycatch allowances will be managed, as required under § 675.20(a)(7). Public comment will be accepted by NMFS on the proposed bycatch allowances, seasonal apportionments thereof, and the manner in which seasonal apportionments of nontrawl fishery bycatch allowances will be managed, for a period of 30 days after publication in the **Federal** Register.

(d) Attainment of a Pacific halibut nontrawl fishery bycatch allowance. If, during the fishing year, the Regional Director determines that U.S. fishing vessels participating in any of the nontrawl fishery categories listed in paragraphs (b)(2)(ii) (A) through (E) of this section will catch the Pacific halibut bycatch allowance, or seasonal apportionment thereof, specified for that fishery category under paragraph (b) of this section, NMFS will publish in the Federal Register the closure of the entire Bering Sea and Aleutian Islands management area to directed fishing