

other set gillnet fisheries which interact with similar marine mammals species if observer data were available. Therefore, this fishery is proposed to be placed in Category II.

*Alaska Kodiak salmon set gillnet.*

Categorization of this fishery is based on logbook data. Because total known harbor porpoise mortality and serious injury levels across all fisheries exceed 10 percent of this stock's PBR, and the known harbor porpoise mortality and serious injury level for this fishery is 4 animals per year (1.6 percent of PBR), this fishery is proposed to be placed in Category II.

*Alaska Peninsula/Aleutians salmon set gillnet (includes Atka and Amli Islands).* Categorization of this fishery is based on logbook data. Although total known marine mammal mortality and serious injury levels across all fisheries do not exceed 10 percent of each stock's PBR with currently available information for those species known to be taken in this fishery, low levels of observer coverage across all fisheries have been inadequate to determine mortality and serious injury levels across all fisheries for these stocks, and available data suggest that levels of mortality and serious injury may exceed 10 percent of each stock's PBR if observer information were available, especially for harbor porpoise.

Similarly, though low levels of marine mammal mortalities and serious injuries have been documented for this fishery, available data suggest that levels of mortality and serious injury in this fishery would be expected to be similar to levels of other set gillnet fisheries which interact with similar marine mammals species if observer data were available. Therefore, this fishery is proposed to be placed in Category II.

*Alaska Bristol Bay salmon drift gillnet.* Categorization of this fishery is based on logbook data. Although total known marine mammal mortality and serious injury levels across all fisheries do not exceed 10 percent of each stock's PBR with currently available information for those species known to be taken in this fishery, low levels of observer coverage across all fisheries have been inadequate to determine mortality and serious injury levels across all fisheries for these stocks, and available data suggest that levels of mortality and serious injury may exceed 10 percent of each stock's PBR if observer information were available, especially for harbor porpoise, harbor seals and Steller sea lions. Similarly, though low levels of marine mammal mortalities and serious injuries have been documented for this fishery, available data suggest that levels of

mortality and serious injury in this fishery would be expected to be similar to levels of other set gillnet fisheries which interact with similar marine mammals species if observer data were available. Therefore, this fishery is proposed to be placed in Category II.

*Alaska Bristol Bay salmon set gillnet.* Categorization of this fishery is based on information from logbooks. This fishery is proposed to be placed in Category II based on an occasional take of marine mammals (0.5 Bristol Bay stock of beluga whales per year). Because the take relative to PBR is 2 percent, which is greater than 1 percent and less than 50 percent, this fishery is proposed to be placed in Category II.

*Alaska Metlakatla/Annette Island salmon drift gillnet.* This fishery is separated from the Southeast drift gillnet fishery only for purposes of registration. It is a tribal fishery and is thus exempt from the registration fee. For categorization purposes, it is considered the same as the Southeast drift gillnet fishery and is thus proposed to be placed in Category II.

*Washington Puget Sound Region salmon drift gillnet fishery (includes inland waters south of U.S.-Canada border and eastward of the Bonilla-Tatoosh line—Treaty Indian fishing is excluded).* The name of this fishery has been modified from the name in the 1994 LOF in order to exclude set gillnet gear and commercial steelhead fishing since these fisheries are conducted only by treaty Indian fishers. Also, the name change clarifies that the regulations governing incidental take of marine mammals in fisheries do not apply to tribal members exercising treaty Indian fishing rights.

Categorization of this fishery is based on information from observer programs and logbooks. This fishery experiences an occasional take of marine mammals (50 harbor seals from the Washington inland waters stock were reported in logbooks each year). Because the take relative to PBR is 6 percent, which is greater than 1 percent and less than 50 percent, this fishery is proposed to be placed in Category II. The observer programs conducted in 1993 and 1994 documented a few incidental takes of harbor seals, harbor porpoise and Dall's porpoise; however, the extrapolated estimates of take for the non-Indian fishery are not yet available.

*California anchovy, mackerel, tuna purse seine.* Categorization of this fishery is based on information from logbooks. This fishery experiences an occasional take of marine mammals (0.33 bottlenose dolphins per year). Because the take relative to PBR is 2 percent, which is greater than 1 percent

and less than 50 percent, this fishery is proposed to be placed in Category II.

*Alaska Southeast salmon purse seine.* This fishery was included under the general title "Alaska salmon/herring beach and purse seine" in the 1994 LOF. Categorization of this fishery is based on Category III reports. Because total known humpback whale mortality and serious injury levels across all fisheries exceed 10 percent of this stock's PBR, and the known humpback whale mortality and serious injury level for this fishery is 0.4 animals per year (14.3 percent of PBR), this fishery is proposed to be placed in Category II.

*Alaska Bering Sea and Aleutian Islands groundfish trawl.* Categorization of this fishery is based on observer data. Because total known killer whale mortality and serious injury levels across all fisheries exceed 10 percent of this stock's PBR, and the known killer whale mortality and serious injury level for this fishery is 1 animal (0.8 animals) per year (8 percent of PBR), this fishery is proposed to be placed in Category II.

*Alaska pair trawl—new fishery.* Because this is a new fishery to the region, no information is available to make a determination on expected levels of marine mammal mortalities and serious injuries in this fishery. Analogy cannot be drawn with the Atlantic tuna swordfish pair trawl, as target species and marine mammal species it might interact with are too dissimilar. However, because this is a new fishery for which no information is available, this fishery is proposed to be placed in Category II.

*Oregon swordfish/blue shark surface longline fishery—new fishery.* Categorization of this fishery is based on analogy with observed pelagic longline fisheries in the Atlantic Ocean. Based on observer data, the Atlantic Ocean pelagic longline fishery for swordfish and tuna have at least an occasional incidental serious injury and mortality of marine mammals. Accordingly, this fishery is proposed to be placed in Category II.

*Alaska southern Bering Sea, Aleutian Islands, and Western Gulf of Alaska sablefish longline/set line (federally regulated waters).* The name of this fishery has been modified from the 1994 LOF name to specify that this fishery occurs in Federal waters. Categorization of this fishery is based on observer data. Because total known killer whale mortality and serious injury levels across all fisheries exceed 10 percent of this stock's PBR, and the known killer whale mortality and serious injury level for this fishery is 0.25 animals per year (2.5 percent of PBR), this fishery is proposed to remain in Category II.