

at 50 CFR parts 675 and 676. General regulations that also pertain to U.S. fisheries are codified at 50 CFR part 620. Regulations governing observer coverage requirements for specified U.S. fisheries under the North Pacific Fisheries Research Plan (Research Plan) are codified at 50 CFR part 677.

In 1993, the total "other" (chum) salmon bycatch amount in the BSAI fisheries was 245,000 fish—approximately six times the bycatch level estimated for each of the previous 2 years and triple the previous highest bycatch amount of 72,000 "other" salmon estimated in the 1984 foreign trawl fishery. To reduce "other" salmon bycatch and address concerns for conservation of the salmon resource a specified area, the salmon savings area, which was renamed the chum salmon savings area (CSSA), was closed to trawling by emergency rule (59 FR 35476, August 15, 1994) during the 1994 pollock nonroe season. As in past years, vessels fishing in the CSSA in 1994 prior to closure of this area experienced a high "other" salmon bycatch rate. Continued fishing in the CSSA in 1994 would likely have led to higher bycatch rates than those seen after the closure. The CSSA has historically accounted for a large proportion of "other" salmon bycatch and a relatively small proportion of groundfish harvest.

A proposed rule to implement Amendment 35 to the FMP was published on April 25, 1995 (60 FR 20253). Public comment on the proposed rule was invited through June 5, 1995. A notice of availability for Amendment 35 was published in the **Federal Register** on April 6, 1995 (60 FR 17512). Comments on Amendment 35 were accepted through May 30, 1995. One letter indicating "no comments" was received within the comment period. NMFS is not making any changes from the proposed rule to the final rule and is implementing the following management measures.

1. The CSSA will be closed to all trawling for the month of August, with the closure continuing or being reinstated once a bycatch limit of 42,000 "other" salmon has been reached in the CVOA. Accounting for chum salmon bycatch attributable to the bycatch limit will begin on August 15. The CSSA will reopen to trawling on October 15. The closure area is defined by straight lines connecting the following coordinates in the order listed:

56°00' N., 167°00' W.;
56°00' N., 165°00' W.;
55°30' N., 165°00' W.;
55°30' N., 164°00' W.;
55°00' N., 164°00' W.;
55°00' N., 167°00' W.; and

56°00' N., 167°00' W.

2. Mothership processor vessels that receive pollock harvested in the CVOA during the 1995 pollock nonroe season will be required to carry two observers until the bycatch limit for "other" salmon is reached or until October 15, whichever occurs first. For the same period of time, those shoreside processing plants that also receive pollock harvested in the CVOA during the 1995 pollock nonroe season and that offload fish at two locations on the same dock and have distinct and separate equipment at each location to process those fish will also be required to have an extra observer. For 1996 and beyond, any observer coverage requirements for these vessels and shoreside plants would be implemented under the Research Plan.

3. Electronic communication capabilities will be required for each mothership processor vessel that receives pollock harvested in the CVOA during the pollock nonroe season and for each shoreside processing facility that receives pollock harvested from the CVOA during the pollock nonroe season and that is required to have 100-percent observer coverage under 50 CFR 677.10.

Classification

The Director, Alaska Region, NMFS, determined that the FMP amendment is necessary for the conservation and management of the Bering Sea and Aleutian Islands management area fisheries and that it is consistent with the Magnuson Act and other applicable laws.

The Council prepared an FRFA as part of the RIR. A copy of this analysis is available from the Council (see ADDRESSES).

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

List of Subjects in 50 CFR Parts 675 and 677

Fisheries, Reporting and recordkeeping requirements.

Dated: June 28, 1995.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For reasons set out in the preamble, 50 CFR parts 675 and 677 are amended as follows:

PART 675—GROUND FISH OF THE BERING SEA AND ALEUTIAN ISLANDS AREA

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

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

2. Section 675.22, paragraph (h) is added to read as follows:

§ 675.22 Time and area closures.

* * * * *

(h) *Chum Salmon Savings Area.* (1) Trawling is prohibited from August 1 through August 31 in the area defined by straight lines connecting the following coordinates in the order listed:

56°00' N., 167°00' W.;
56°00' N., 165°00' W.;
55°30' N., 165°00' W.;
55°30' N., 164°00' W.;
55°00' N., 164°00' W.;
55°00' N., 167°00' W.; and
56°00' N., 167°00' W.

(2) When the Regional Director determines that 42,000 nonchinook salmon have been caught by vessels using trawl gear during the time period of August 15 through October 14 in the catcher vessel operational area, defined in paragraph (g) of this section, NMFS will prohibit fishing with trawl gear for the remainder of the period September 1 through October 14 in the area defined under paragraph (h)(1) of this section.

3. Section 675.25 is revised to read as follows:

§ 675.25 Observer requirements.

(a) *General.* Bering Sea and Aleutian Islands management area groundfish observer requirements are contained in part 677 of this chapter.

(b) *Additional observer coverage requirements applicable through December 31, 1995.* (1) Each mothership processor vessel that receives pollock harvested by catcher vessels in the catcher vessel operational area, defined at § 675.22(g), during the second pollock season that starts on August 15 under § 675.23(e), is required to have a second NMFS-certified observer aboard, in addition to the observer required under § 677.10(a)(1)(i) of this chapter, for each day of the second pollock season until the chum salmon savings area is closed under § 675.22(h)(2).

(2) Each shoreside processor that offloads fish at more than one location on the same dock and has distinct and separate equipment at each location to process those fish and that receives pollock harvested by catcher vessels in the catcher vessel operational area, defined at § 675.22(g), during the second pollock season that starts on August 15, under § 675.23(e) is required to have a NMFS-certified observer, in addition to the observer required under § 677.10(a)(1)(i) of this chapter, at each location where fish is offloaded, for each day of the second pollock season until the chum salmon savings area is closed under § 675.22(h)(2).