for sex composition between  $56^{\circ}$  and  $57^{\circ}$  N. lat. were females.

Given the available data on the distribution of female red king crab and the assumption that crab move shoreward during winter months, NMFS believes that a closure between 162° and 164° W. long. and between 56° and 57° N. lat. will adequately protect female red king crab during the winter trawl fisheries without unnecessarily jeopardizing the trawl fishery's opportunity to harvest valuable roebearing rock sole.

The majority of king crab bycatch in observed hauls in all fisheries during 1990–94 occurred in the area between 56° and 57° N. Lat. and 162° and 164° W. long. This also corresponds to an area of high fishing effort. Most of the hauls were taken between January and March, which also corresponds to the timing of the rock sole roe fishery.

Observer data from 1990–94 show that between 20 and 45 percent of the groundfish catch in the rock sole fishery has come from within this area. The highest number of king crab is consistently taken by the rock sole fishery. Between 40 and 70 percent of the red king crab incidental catch in the rock sole fishery is taken within this area.

The RKCSA also accounts for between 10 and 45 of the halibut incidental catch in the rock sole fishery. Although closure of the RKCSA to protect red king crab stocks would also reduce halibut bycatch within this area, relocated fishing effort could result in similar or higher halibut bycatch rates in the open areas. Fishing effort relocated from the closure area could also result in greater bycatch of C. bairdi Tanner crab. This may cause the rock sole roe fishery to attain specified halibut and C. bairdi bycatch allowances more quickly, which would close the fishery sooner. Higher bycatch rates of either halibut or C. bairdi Tanner crab in the rock sole fishery would not pose a conservation problem because the overall bycatch amount of these species is managed under specified bycatch allowances that, when reached, will close the directed fishery for rock sole. As a result, displaced fishing effort from the **RKCSA** to other fishing grounds could result in closure of the rock sole roe fishery before the end of the roe season (early to mid-March) to the extent that an increased bycatch rate for halibut or C. bairdi would result in a more rapid attainment of the bycatch allowances specified for these species.

## **Observer Coverage**

Concurrent with the implementation of the RKCSA, NMFS is requiring that

all vessels equal to or greater than 60 ft (18.3m) LOA carry a NMFS-certified observer onboard during 100 percent of their fishing days while fishing for flatfish in the open areas of Zone 1. This requirement will provide NMFS with better information on the bycatch of red king crab, as well as other prohibited species. With the shift in effort from the **RKCSA** to other areas of Zone 1, NMFS anticipates changes in the bycatch rate of not only red king crab, but other species as well. Increased observer coverage will enable NMFS to obtain more complete bycatch data and facilitate the inseason monitoring of crab and halibut bycatch to avoid exceeding specified bycatch allowances. Between January and the end of April 1994, 30 catcher/processors participated in a directed fishery for flatfish. Of these 30 vessels, 27 are equal to or greater than 125 ft (38.1m) LOA and already are required to carry an observer at all times. Three are less than 125 ft (38.1m) LOA but were equal to or greater than 60 ft (18.3m) LOA and under the emergency rule will have to carry an observer at all times. One shoreside processor participated in the flatfish fishery in 1994. Five catcher vessels equal to or greater than 60 ft (18.3m) LOA delivered flatfish to this processor. Under this emergency rule, these catcher vessels will also be required to carry an observer at all times while fishing for flatfish in Zone 1. Four of the five catcher vessels currently must carry an observer 100 percent of the time. The requirement under this emergency rule will only affect three catcher/processors and one catcher vessel if the same fleet fished for flatfish in 1995 as in 1994.

Under the emergency rule, NMFS is also requiring vessels equal to or greater than 60 ft (18.3m) LOA that use pelagic trawl gear in the RKCSA to carry an observer during 100 percent of their fishing days. This is necessary to ensure that the vessel operators adhere to the current performance standard for pelagic trawl gear set out at § 675.7(n).

During the first pollock season in 1994, 20 catcher vessels delivered pollock to shoreside facilities. Eight of these vessels were equal to or over 125 ft (38.1m) LOA and are already required to carry an observer at all times. The remaining 12 were greater than 60 ft (18.3m) LOA and are currently required to have only 30-percent observer coverage. Of these 12 vessels, 10 delivered significant quantities of pollock and two delivered incidental amounts, probably as bycatch in other fisheries. Therefore, 10–12 pollock vessels, based on 1994 information, would be affected by the additional observer-coverage requirements.

The term "fishing days" is defined at § 677.2 for purposes of observer coverage requirements and does not include days during which a vessel only delivered unsorted codends to a processor. Therefore, catcher vessels used only for this purpose are exempt from increased observer coverage requirements implemented under this emergency rule.

## **Data Reporting**

To keep a more accurate and timely count of red king crab bycatch amounts in the open areas of Zone 1, NMFS requests the observers onboard those vessels with INMARSAT Standard A satellite communication equipment, and the necessary hardware and software, fishing in the flatfish target fisheries to report electronically the prohibited species catch statistics and associated data on haul location and size on a daily basis. Such reporting will provide more timely data and enable NMFS to monitor more effectively the prohibited species bycatch allowances specified for the 1995 groundfish fisheries.

NMFS requests this information only from observers onboard vessels that already have the appropriate satellite communication equipment (INMARSAT Standard A) and the software that was supplied by the NMFS Observer Program Office. This emergency rule does not require that portion of the industry that does not already have the above-mentioned satellite communication capabilities to obtain electronic communication equipment. Existing observer regulations specify that the observer shall have access to communication equipment onboard the vessel. Under this emergency rule, the observer will simply be transmitting a portion of the same reports as those currently being sent, but on a daily basis. This will involve somewhat higher data transmission costs for the vessel compared to the status quo operation.

For those vessels that do not already have the capabilities for electronic communication, the observer will continue to send the data via conventional means, but also on a daily basis. The operators of these vessels will not be required under this emergency rule to acquire any additional communication equipment.

Currently, 21 catcher/processors that fished in the flatfish fishery in 1994 have the appropriate satellite communication capabilities. The remaining nine catcher/processors that fished in the flatfish tart fishery in 1994 do not have various components of the necessary equipment. Of theses nine vessels, three or four catcher/processors