

groundfish bycatch rate standard for the GOA "other trawl" fishery, which is unchanged from 1994. The reasons for these bycatch rate standards are discussed in the January 12, 1995, publication of bycatch rate standards (60 FR 2905). Observer data collected from the 1995 BSAI "other trawl" fishery show first and second quarter halibut bycatch rates of 11 and 17 kg halibut/mt of groundfish, respectively. Observer data collected from the 1995 GOA "other trawl" fishery show first and second quarter halibut bycatch rates of 17 and 64 kg halibut/mt of groundfish, respectively. At its September 1995 meeting, the Council's Advisory Panel had recommended the halibut bycatch rate standard for the GOA "other trawl" fishery be increased to 50 kg halibut/mt groundfish in consideration of the average second quarter rate experienced by that fishery in 1995. However, the Council recommended that the bycatch rate standards remain unchanged from 40 kg halibut/mt groundfish to maintain a stronger incentive for GOA trawl vessels to take action to avoid unacceptably high bycatch rates. Unlike the second quarter of 1995, the average bycatch rates experienced by vessels participating in the GOA and BSAI "other trawl" fisheries generally have been lower than the Council's recommended bycatch rate standards for these fisheries. The Council determined that its recommended halibut bycatch rate standards for the "other trawl" fisheries would continue to provide an incentive to vessel operators to avoid unusually high halibut bycatch rates while participating in these fisheries and contribute towards an overall reduction in halibut bycatch rates experienced in the Alaska trawl fisheries. Furthermore, these standards would provide some leniency to those vessel operators that choose to use large mesh trawl gear in the BSAI rock sole fishery (a component fishery of the BSAI "other trawl" fishery) as a means to reduce groundfish discard amounts. The bycatch rates of halibut and crab could increase for those vessels using this gear type, but observer data do not exist on which to base a revised bycatch rate standard for these operations. The Council recommended maintaining the current bycatch rate standard for the BSAI "other trawl" fishery until observer data becomes available that would provide a basis for bycatch rate standards for vessels using large mesh trawl gear.

Bycatch Rate Standards for Red King Crab

The Council's recommended red king crab bycatch rate standard for the BSAI yellowfin sole and "other trawl" fisheries in Zone 1 of the Bering Sea subarea is 2.5 crab/mt of groundfish during the first half of 1996. This standard is unchanged since 1992. A discussion of the justification for this bycatch rate standard is presented in the January 12, 1995, publication of bycatch rate standards for the first half of 1995 (60 FR 2905). The red king crab bycatch rates experienced by the yellowfin sole and the "other trawl" fisheries in Zone 1 during the first quarter of 1995 averaged about 0.30 and 0.32 crab/mt of groundfish, respectively. The bycatch rates of red king crab experienced in these two fisheries during the second quarter of 1995 were reduced significantly (0.02 and 0 crab/mt groundfish, respectively). This reduction was attributed primarily to closure of Zone 1 to the yellowfin sole fishery on April 4, 1995, and to the Pacific cod trawl fishery on March 30, 1995, due to the attainment of Zone 1 *C. bairdi* Tanner crab bycatch allowances. The BSAI also was closed to the rock sole/flathead sole/other flatfish fisheries on February 21 until March 30 and April 17 until July 1 due to the attainment of seasonal halibut bycatch allowances. The total bycatch of red king crab by vessels participating in the 1995 yellowfin sole and "other trawl" fisheries is estimated at about 30,000 crab, or about 15 percent of the 200,000 red king crab bycatch limit established for the trawl fisheries in Zone 1. The 1995 bycatch amounts of red king crab are reduced substantially from those experienced in 1995 (244,634 crab). This reduction is due primarily to an emergency rule closure in 1995 of an area within Zone 1 to reduce red king crab bycatch rates in the trawl fisheries (60 FR 4866, January 25, 1995). At its September 1995 meeting, the Council adopted an amendment to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area that, if approved by NMFS, would implement a similar trawl closure on a permanent basis. For 1996, NMFS intends to pursue the Council's recommendation for a trawl closure to reduce red king crab bycatch rates through an inseason closure action. NMFS expects that the 1996 red king crab bycatch rates in Zone 1 will be similar to those experienced in 1995. In anticipation that red king crab bycatch allowances will not be exceeded in 1996 and that the red king crab bycatch limit will restrict bycatch amounts to

specified levels, the Council maintained the 2.5 red king crab/mt of groundfish bycatch rate standard.

The Regional Director has determined that Council recommendations for bycatch rate standards are appropriately based on the information and considerations necessary for such determinations under §§ 672.26(c) and 675.26(c). Therefore, the Regional Director concurs in the Council's determinations and recommendations for halibut and red king crab bycatch rate standards for the first half of 1996 as set forth in Table 1. These bycatch rate standards may be revised and published in the Federal Register when deemed appropriate by the Regional Director pending his consideration of the information set forth at §§ 672.26(c)(2)(v) and 675.26(c)(2)(v).

As required in regulations at §§ 672.26(a)(2)(iii) and 675.26(a)(2)(iii), the 1996 fishing months are specified as the following periods for purposes of calculating vessel bycatch rates under the incentive program:

Month 1: January 1 through February 3;
Month 2: February 4 through March 2;
Month 3: March 3 through March 30;
Month 4: March 31 through April 27;
Month 5: April 28 through June 1;
Month 6: June 2 through June 29;
Month 7: June 30 through August 3;
Month 8: August 4 through August 31;
Month 9: September 1 through September 28;
Month 10: September 29 through November 2;
Month 11: November 3 through November 30; and
Month 12: December 13 through December 31.

Classification

This action is taken under 50 CFR 672.26 and 675.26 and is exempt from review under E.O. 12866.

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

Dated: November 22, 1995.

Richard H. Schaefer,
Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

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Groundfish of the Bering Sea and Aleutian Islands Area; Chinook Salmon Savings Area

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and