

the next year, by low returns to the Nushagak River. However, projecting chinook salmon abundance in future years is currently not possible. In addition, it would be difficult for NMFS to establish whether low chinook salmon bycatch was occurring due to low salmon abundance or changes in trawl fishing behavior. Therefore, it does not appear that existing information about the relationship between salmon bycatch and salmon abundance supports the development of a workable, abundance-based bycatch management program.

Comment 8: Trigger and closure management actions should be very well justified on a cost/benefit basis and narrowly tailored in scope before qualifying for approval. This action has the potential of imposing extreme costs on the pollock and Pacific cod trawl fleet, while providing little benefit to the salmon fisheries of western Alaska.

Response: Current levels of chinook salmon bycatch are not considered a conservation problem. The primary objective of Amendment 21b is to avoid the levels of high chinook salmon bycatch that occurred in the late 1970s and early 1980s. The 48,000 chinook salmon bycatch limit is greater than any annual chinook salmon bycatch estimate since 1980, except 1991. NMFS believes that closures of the CHSSA likely will occur only in years of unusually high chinook salmon bycatch. Although closure of the CHSSA would affect the pollock or Pacific cod trawl fisheries, NMFS believes it is important to have a mechanism in place to limit future increases in chinook salmon bycatch.

The EA/RIR/FRFA does show a relationship between high chinook salmon bycatch amounts and returns to the Nushagak River in the next year. Although information is incomplete about chinook abundance throughout western Alaska and the relationship

between bycatch amounts and returns to western Alaska, the Council and NMFS believes that limits on chinook salmon bycatch will provide benefits for chinook salmon escapement and commercial, recreational, and subsistence fisheries.

Comment 9: The U.S. Fish and Wildlife Service supports the proposed action to limit chinook salmon bycatch in the BSAI trawl fisheries.

Response: NMFS concurs.

Classification

The Director, Alaska Region, NMFS, has determined that Amendment 21b to the FMP is necessary for the conservation and management of the BSAI fisheries and that it is consistent with the Magnuson Act and other applicable laws.

The Council prepared a FRFA as part of the RIR, which indicates that this rule could have a significant economic impact on a substantial number of small entities. A summary of this determination is included in the proposed rule (60 FR 46811, September 8, 1995). A copy of the EA/RIR/FRFA may be obtained 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 Part 675

Fisheries, Reporting and recordkeeping requirements.

Dated: November 22, 1995.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For reasons set out in the preamble, 50 CFR part 675 is 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. In section 675.22, paragraph (i) is added to read as follows:

§ 675.22 Time and area closures.

* * * * *

(i) *Chinook Salmon Savings Areas.* When the Regional Director determines that 48,000 chinook salmon (*Oncorhynchus tshawytscha*) have been caught by vessels using trawl gear during the time period from January 1 until April 15 in the Bering Sea and Aleutian Islands management area, NMFS will prohibit fishing with trawl gear for the remainder of that period within the following three areas:

(1) The area defined by straight lines connecting the following coordinates in the order listed:

56° 30' N., 171° 00' W.;
56° 30' N., 169° 00' W.;
56° 00' N., 169° 00' W.;
56° 00' N., 171° 00' W.; and
56° 30' N., 171° 00' W.

(2) The area defined by straight lines connecting the following coordinates in the order listed:

54° 00' N., 171° 00' W.;
54° 00' N., 170° 00' W.;
53° 00' N., 170° 00' W.;
53° 00' N., 171° 00' W.; and
54° 00' N., 171° 00' W.

(3) The area defined by straight lines connecting the following coordinates in the order listed:

56° 00' N., 165° 00' W.;
56° 00' N., 164° 00' W.;
55° 00' N., 164° 00' W.;
55° 00' N., 165° 00' W.;
54° 30' N., 165° 00' W.;
54° 30' N., 167° 00' W.;
55° 00' N., 167° 00' W.;
55° 00' N., 166° 00' W.;
55° 30' N., 166° 00' W.;
55° 30' N., 165° 00' W.; and
56° 00' N., 165° 00' W.

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