headend equipment and the depreciation schedule for the equipment.

* * * * *

[FR Doc. 95–1819 Filed 1–24–95; 8:45 am]

BILLING CODE 6712–01–M

## DEPARTMENT OF COMMERCE

## National Oceanic and Atmospheric Administration

## 50 CFR Part 642

**[Docket No. 940710–4292; I.D. 011895A]**

## Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Trip limit reduction.

**SUMMARY:** NMFS reduces the commercial trip limit of Atlantic group Spanish mackerel in the southern zone to 1,000 lb (454 kg) per day in or from the exclusive economic zone (EEZ). This trip limit reduction is necessary to protect the Atlantic Spanish mackerel resource.

**EFFECTIVE DATE:** The 1,000–lb (454–kg) commercial trip limit is effective 12:01 a.m., local time, January 20, 1995, and remains in effect through March 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** Mark F. Godcharles, 813–570–5305.

**SUPPLEMENTARY INFORMATION:** The fishery for coastal migratory pelagic fish (king mackerel, Spanish mackerel, cero, cobia, little tunny, dolphin, and, in the Gulf of Mexico only, bluefish) is managed under the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (FMP). The FMP was prepared by the Gulf of Mexico and South Atlantic Fishery Management Councils (Councils) and is implemented by regulations at 50 CFR part 642 under the authority of the Magnuson Fishery Conservation and Management Act.

An adjusted allocation and commercial trip limits were recommended by the Councils and implemented by NMFS for Atlantic migratory group Spanish mackerel from the southern zone. As set forth at 50 CFR 642.27(b), the adjusted allocation is 4.35 million lb (1.97 million kg). In accordance with 50 CFR 642.27(a)(2)(iii), after 75 percent of the adjusted allocation of Atlantic group Spanish mackerel from the southern zone is taken until 100 percent of the adjusted allocation is taken, Spanish mackerel in or from the EEZ in the southern zone may not be possessed aboard or landed from a vessel in a day in amounts exceeding 1,000 pounds (454 kg). In accordance with 50 CFR 642.27(a)(2)(iv), after 100 percent of the adjusted allocation of Atlantic group Spanish mackerel from the southern zone is taken through the end of the fishing year, Spanish mackerel in or from the EEZ in the southern zone may not be possessed aboard or landed from a vessel in a day in amounts exceeding 500 lb (227 kg) per day.

NMFS has determined that 75 percent of the adjusted allocation for Atlantic group Spanish mackerel from the southern zone will be taken by January 19, 1995. Accordingly, the 1,000–pound (454–kg) per day commercial trip limit applies to Spanish mackerel in or from the EEZ in the southern zone effective 12:01 a.m., local time, January 20, 1995, through March 31, 1995, unless changed by further notification in the **Federal Register**.

The southern zone of Atlantic group Spanish mackerel extends from the Georgia/Florida boundary (30°42′45.6″ N. lat.) southward to the Dade/Monroe County, Florida, boundary (25°20.4′ N. lat.).

### Classification

This action is taken under 50 CFR 642.27(a)(2)(iii) and (b) and is exempt from review under E.O. 12866.

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

Dated: January 19, 1995.

**David S. Crestin,**

*Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.*

[FR Doc. 95–1776 Filed 1–19–95; 4:32 pm]

BILLING CODE 3510–22–F

## 50 CFR Parts 675 and 677

**[Docket No. 950112014–5014–01; I.D. 010695A]**

**RIN 0648–AH42**

## Groundfish of the Bering Sea and Aleutian Islands Area, North Pacific Fisheries Research Plan; Trawl Closure To Protect Red King Crab

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Emergency interim rule; request for comments.

**SUMMARY:** NMFS has determined that an emergency exists in the groundfish fisheries being conducted in the Bering Sea and Aleutian Islands (BSAI) management area. The number of female red king crab in Bristol Bay has declined to a level that presents a serious conservation problem for this stock. To protect Bristol Bay area red king crab, NMFS is implementing by emergency rule a trawl closure in an area of Zone 1 in the Bering Sea (BS). NMFS is also implementing changes to observer-coverage requirements that will aid the monitoring of red king crab bycatch in the BS flatfish trawl fisheries conducted outside of the closure area in Zone 1. These management measures are intended to accomplish the objectives of the North Pacific Fishery Management Council (Council) with respect to fishery management in the BSAI.

**DATES:** Effective January 20, 1995 through April 25, 1995. Comments must be submitted by February 9, 1995.

**ADDRESSES:** Comments may be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802, Attention: Lori Gravel. Copies of the Environmental Assessment (EA) prepared for the emergency rule may be obtained from the same address.

**FOR FURTHER INFORMATION CONTACT:** Kaja Brix, 907–586–7228.

**SUPPLEMENTARY INFORMATION:**

### Background

Fishing for groundfish by U.S. vessels in the exclusive economic zone of the BSAI is managed by NMFS according to the Fishery Management Plan (FMP) for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area. The FMP was prepared by the Council under the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801, *et seq.*), (Magnuson Act), and is implemented by regulations governing the U.S. groundfish fisheries at 50 CFR parts 675 and 676. General regulations that also pertain to U.S. fisheries are codified at 50 CFR part 620.

At times, amendments to the FMP or its implementing regulations are necessary to respond to fishery conservation and management problems that cannot be addressed within the timeframe of the normal procedures provided for by the Magnuson Act. Section 305(c) of the Magnuson Act authorizes NMFS to implement emergency regulations necessary to address these situations. These emergency regulations may remain in effect for not more than 90 days after

publication in the **Federal Register**, with a possible 90-day extension.

The number of red king crab in the Bristol Bay area of the BS is declining. Data from the 1994 NMFS crab survey indicate that the number of female red king crab is below threshold. This triggered closure of the 1994 directed Bristol Bay red king crab pot fishery by the Alaska Department of Fish and Game (ADF&G). Due to the closure of the red king crab fishery in ADF&G shellfish management Area T, the area east of 163° W. long. was closed to *C. bairdi* Tanner crab fishing for the 1994–95 season. Current regulations close Federal Statistical Area 512 to trawling to protect the red king crab stock. In view of the declining red king crab stock and the need to further protect and conserve red king crab in the Bristol Bay area of the BS, NMFS is implementing, by emergency rule, the following measures:

1. A closure in a portion of Bycatch Zone 1 (defined at § 675.2) to directed fishing for groundfish by vessels using trawl gear other than pelagic trawl gear;

2. Catcher/processors or catcher vessels equal to or greater than 60 ft (18.3m) length overall (LOA) must carry a NMFS-certified observer during 100 percent of their fishing days when participating in the flatfish fishery, defined at § 677.10(a)(1)(ii)(E), in areas of Zone 1 outside of the closure area implemented under this emergency rule; and

3. Catcher/processors or catcher vessels, equal to or greater than 60 ft (18.3m) LOA, must carry a NMFS-certified observer during 100 percent of their fishing days in which the vessel uses pelagic trawl gear in the closure area implemented under this emergency rule.

For the duration of this emergency rule, NMFS is also requesting that observers onboard vessels that have INMARSAT Standard A satellite communications equipment and the appropriate software and that are fishing for flatfish in Zone 1, report electronically crab bycatch data and certain haul statistics on a daily basis. This would not entail any additional regulatory requirement for vessel operators. Details of these measures follow.

**Red King Crab Savings Area (RKCSA)**

Based on NMFS survey data, the 1994 abundance index for legal-sized male Bristol Bay red king crab was 5.5 million crab compared to 7.3 million in 1993. The abundance index for mature female crab declined from 14.2 million crab in 1993 to 7.5 million crab in 1994. This number is below the threshold value of 8.4 million crab established pursuant to the FMP for the Commercial King and Tanner Crab Fisheries in the BSAI. These declines were corroborated by the length-based assessment model that was newly developed by ADF&G. Because the abundance of female crab was below threshold, ADF&G closed the 1994 Bristol Bay red king crab fishery, as well as the directed pot fishery for Tanner crab in Zone 1 east of 163° W. long. The Bristol Bay red king crab stock continues to suffer from a long period of low recruitment and sublegal crab levels are among the lowest on record.

At the September 1994 Council meeting, the Crab Plan Team presented the Council with information detailing the status of the red king crab stocks in the Bristol Bay area of the BS. Because female red king crab were below the sustainable threshold, emergency action was considered to conserve this resource. At a subsequent teleconference on November 14, 1994, the Council reviewed an analysis prepared by ADF&G that examined alternative closure areas. At this teleconference, the Council recommended a closure area between 55°45′ and 57°00′ N. lat. and between 162° and 164° W. long. The intent of this trawl closure is to reduce the number of female red king crab taken as bycatch in the trawl fisheries. However, it would be at the expense of most of the optimal rock sole fishing grounds. After reviewing additional analysis prepared by ADF&G subsequent to the Council's teleconference and reexamining the administrative record on this issue, NMFS is implementing a closure area that would meet the intent of the Council to protect female red king crab, while minimizing the displacement of trawl fisheries and the foregone opportunity to harvest roe-bearing rock sole.

To conserve the red king crab resource in the Bristol Bay area of the BS, NMFS is implementing emergency measures to prohibit directed fishing for groundfish by vessels using trawl gear other than pelagic trawl gear in the RKCSA, which is bounded by a straight line connecting the following coordinates in the order listed below:

| Latitude | Longitude |
|---|---|
| 56°00′ N. | 162°00′ W. |
| 56°00′ N. | 164°00′ W. |
| 57°00′ N. | 164°00′ W. |
| 57°00′ N. | 164°00′ W. |
| 56°00′ N. | 162°00′ W. |

The highest bycatch of red king crab has been from the rock sole/other flatfish fishery category, especially in 1993 and 1994 when the red king crab bycatch in Zone 1 was estimated at 134,000 and 193,000 crab, respectively. During this same period, the bottom trawl pollock fishery caught the next highest amount of Zone 1 red king crab (44,000 and 39,000, respectively) and the yellowfin sole and Pacific cod fisheries also took some king crab. Red king crab bycatch has been greatest in the rock sole fishery during the months of January and February when the rock sole roe fishery occurs. Significantly reduced bycatch rates of red king crab occur in other trawl fisheries throughout the year.

The current closure area for red king crab (Federal Statistical Area 512) in the BS was designed to protect approximately 90 percent of the mature female red king crab. This consideration was based on the distribution of female crab in the mid 1980's. Annual NMFS crab survey data show distribution and relative abundance of female red king crab vary from year to year. However, survey data since 1990 indicate that relatively large numbers of female crab have been taken at survey stations in Bristol Bay located at 56° N. long. and north. Although only a limited number of survey stations are located south of 56° N. long., survey data from this area indicate a relatively low abundance of crab and no female crab have been taken in this area during the 1990–1994 trawl surveys.

Recent 1993 and 1994 trawl survey data show female red king crab are present at survey stations located along 56° N. long. The relative abundance of female red king crab at these stations was significantly greater in 1993 compared to 1994. The distribution of crab indicated from summer trawl surveys may not represent the distribution of various stock components during winter months when intensive trawl operations for row-bearing rock sole occur in the Bristol Bay area. Although no recent winter trawl survey data exists, crab generally are believed to move shoreward during the molting and mating season. Although the breeding season for crab can be protracted and dependent on a number of variables, the peak breeding season is believed to occur during March-May.

Available observer data on the sex composition of Bristol Bay red king crab taken as bycatch in the trawl fisheries are limited. Sex composition data collected in 1993 for observed hauls south of 56° N. lat. are not available. However, 1993 data for observed hauls between 56° and 56°10′ N. lat. show about one third of the crab sampled for sex composition were females and almost 80 percent of the crab sampled

for sex composition between 56° and 57° 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 roe-bearing 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

may have satellite communication equipment by the 1995 trawl season, and five vessels will probably not have satellite communication capabilities for the 1995 season.

**Economic Considerations**

A total of 62 processor vessels and six shoreside processors participated in the nonpelagic trawl fisheries in the BSAI in 1994. Based on 1994 ADF&G fish tickets, at least 61 catcher vessels delivered to either shoreplants or motherships. The majority of fishing activity in the RKCSA is carried out by the rock sole roe fishery.

Thirty catcher/processor vessels and five catcher vessels participated in a flatfish fishery in the BS between January and May 1994. Between 2.5 and 3 percent of the total groundfish catch in the BSAI came from the closure area in 1992 and 1993, respectively. Data from 1990–1994 indicate that between 20 and 45 percent of the rock sole catch has come from the closure area. The estimated gross wholesale value of rock sole harvests in the BSAI between January and April 1994 was $36,313,484. The displacement of fishing effort for rock sole from the RKCSA to less productive areas of the Bering Sea in anticipated to result in some foregone harvest of roe-bearing rock sole and an increase in operating costs. A quantitative assessment of these costs is not possible because the amount of roe-bearing rock sole that will be harvested outside the RKCSA is unknown. Given the improbable assumption that the entire amount of rock sole harvested in the RKCSA would be foregone, the maximum potential impact incurred by the rock sole fishery could range from $7.3 million to $16.3 million. More likely, the greatest potential for foregone revenue is associated with the increased probability of a closure of the rock sole fishery due to increased bycatch rates of *C. bairdi* and halibut, and a more rapid attainment of a crab or halibut bycatch allowance before the end of the roe season. The rock sole roe season typically ends by the first week of March, although some fishing effort continues into mid March. In 1994, Zone 1 was closed February 28 because of red king crab bycatch; however, the fishery was able to continue outside the area until Zone 2 was closed to the rock sole fleet on May 7, when the *C. bairdi* Tanner crab bycatch allowance was reached. This closure likely will occur sooner under the emergency rule, as would a closure of the BSAI due to attainment of the halibut bycatch allowance, but a projection of the actual date, as well as the potential foregone harvest of rock sole, cannot be estimated given available information.

Additional observer coverage on the flatfish and pelagic pollock vessels would result in costs per vessel of approximately $200/day for each observer. Three catcher/processor vessels and one catcher vessel participating in a Zone 1 flatfish fishery in 1994 were under 125 ft (38.1m) LOA and may be subject to the additional requirement for 100-percent observer coverage for the duration of this emergency rule. Ten to 12 vessels that participated in the 1994 pelagic trawl pollock fishery were also under 125 ft (38.1 m) LOA and may also be subject to the requirement for 100-percent observer coverage under this rule.

Observer-coverage requirements currently are specified under regulations implementing the North Pacific Fishers Research Plan (Research Plan) at 50 CFR part 677. Under the Research Plan, the costs of increased observer coverage incurred by catcher/processors under this emergency rule may be credited up to each processor's 1995 Research Plan fee liability. This credit amount would reduce the revenue to the North Pacific Observer Fund by a corresponding amount. Increased observer-coverage requirements for catcher vessels under this emergency rule will not affect the amount of fees generated under the Research Plan because these vessels are exempt from 1995 Research Plan fees (§ 677.6(b)(1)).

Electronic reporting, on a daily basis, by the observers on those vessels that currently have INMARSAT Standard A satellite communication capabilities would result in additional transmission costs for operators of each of the 21 vessels. The cost of an electronic transmission is between $3–5 per transmission. The remaining nine vessels in the flatfish fisheries would incur additional cost of daily fax transmission, which range between $10–20 per fax. No other cost would be incurred by the industry for the daily electronic reporting.

NMFS concurs that the above regulatory measurers must be implemented by emergency rulemaking to conserve the female red king crab stocks in the Bristol Bay area of the BS.

**Classification**

The Assistant Administrator for Fisheries, NOAA (AA), has determined that this rule is necessary to respond to an emergency situation and that it is consistent with the Magnuson Act and other applicable laws.

This rule is exempt from the procedures of the Regulatory flexibility Act, because it is not required to be issued with prior notice and opportunity for prior public comment.

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

NMFS finds that the immediate need to protect and conserve female red king crab in the Bristol Bay area of the BS, as explained in the preamble to this rule, constitutes good cause to waive the requirement to provide prior notice and an opportunity for public comment pursuant to authority set forth at 5 U.S.C. 553(b)(B), as a delay to provide prior notice and an opportunity for public comment would be contrary to the public interest. Similarly, the need to implement these measures in a timely manner to protect female red king crab during the rock sole roe fishery, which opens January 20, 1995, constitutes good cause under authority contained in 5 U.S.C. 553(d)(3) to make the rule effective less than 30 days after publication in the **Federal Register**.

**List of Subjects in 50 CFR Parts 675 and 677**

Fisheries, Reporting and recordkeeping requirements.

Dated: January 19, 1995.

**Gary Matlock,**

*Program Management Officer, National Marine Fisheries Service.*

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

## PART 675—GROUNDFISH OF THE BERING SEA AND ALEUTIAN ISLANDS AREAS

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

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

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

**§ 675.22 Time and areas closures.**

* * * * *

(h) *Red king crab savings area.* Directed fishing for groundfish by vessels using trawl gear other than pelagic trawl gear is prohibited at all times, in that part of the Bering Sea Subarea defined by straight lines connecting the following coordinates, in the order listed:

| Latitude | Longitude |
|---|---|
| 56°00′ N. | 162°00′ W. |
| 56°00′ N. | 164°00′ W. |
| 57°00′ N. | 164°00′ W. |
| 57°00′ N. | 162°00′ W. |
| 56°00′ N. | 162°00′ W. |

## PART 677—NORTH PACIFIC FISHERIES RESEARCH PLAN

3. In § 677.10, paragraphs (a)(1)(i)(G) and (a)(1)(i)(H) are added and paragraph (c)(3) is revised to read as follows:

### § 677.10 General requirements.

(a) * * *

(1) * * *

(i) * * *

(G) A catcher/processor or catcher vessel equal to or greater than 60 ft (18.3m) LOA must carry a NMFS-certified observer during 100 percent of its fishing days in which the vessel uses trawl gear to participate in the flatfish fishery, defined at § 677.10(a)(1)(ii)(E), in Zone 1, defined at § 675.2 of this chapter.

(H) A catcher/processor or catcher vessel equal to or greater than 60 ft (18.3m) LOA must carry a NMFS-certified observer during 100 percent of its fishing days in which the vessel uses pelagic trawl gear in the area of the Bering Sea Subarea defined at § 675.22(h) of this chapter.

* * * * *

(c) * * *

(3) Facilitate transmission of observer data by:

(i) Allowing observers to use the vessel's communication equipment and personnel, on request, for the entry, transmission, and receipt of work-related messages, at no cost to the observers, the State of Alaska, or the United States; and

(ii) Ensuring that the communication equipment that is on vessels fishing in a flatfish fishery, defined at § 677.10(a)(1)(ii)(E), in Bycatch Zone 1, defined at § 675.2 of this chapter, and that is used by observers to transmit daily bycatch data is fully functional and operational.

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[FR Doc. 95–1777 Filed 1–19–95; 4:32 pm]

BILLING CODE 3510–22–W