

Subpart C—Take Reduction Plan Regulations and Emergency Regulations [Reserved]

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50 CFR Part 227

[Docket No. 950427119-5149-03; I.D.060195E]

RIN 0648-AH98

Sea Turtle Conservation: Restrictions Applicable to Shrimp Trawling Activities; Additional Turtle Excluder Device Requirements Within Certain Statistical Zones; Hearings

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

ACTION: Proposed rule; notice of hearings.

SUMMARY: NMFS is proposing to impose, for a 30-day period beginning with the reopening of the waters off Texas, additional restrictions on shrimp trawlers fishing in Gulf of Mexico offshore waters out to 10 nautical miles (nm)(18.5 km) from the COLREGS line, along a portion of the Texas coast, between the Texas-Louisiana border and the line along 27° N. lat. This area includes nearshore waters in shrimp fishery statistical Zones 18, 19, and 20 and the westernmost portion of Zone 17 east to Sabine Pass, TX. The restrictions would include prohibitions on the use by shrimp trawlers of soft turtle excluder devices (TEDs), bottom-opening TEDs, flaps completely covering the escape opening of TEDs, and try nets with a headrope length greater than 12 ft (3.6 m) or a footrope length greater than 15 ft (4.5 m), unless the try nets are equipped with approved TEDs other than soft or bottom-opening TEDs. These restrictions would prevent the reoccurrence of high levels of mortality and strandings of threatened and endangered sea turtles documented in Texas after the waters off Texas are reopened to shrimping.

DATES: Comments on this proposed rule must be submitted by July 3, 1995.

The hearings are scheduled as follows:

1. June 19, 1995, at 7 p.m., Galveston, TX
2. June 20, 1995, at 5 p.m., Rockport, TX

ADDRESSES: Comments on this proposed rule and requests for a copy of the environmental assessment (EA) or supplemental Biological Opinion prepared for this proposed rule should

be addressed to the Chief, Endangered Species Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

The hearings will be held at the following locations:

1. Texas-Galveston County Court House, (Jury room, 1st floor), 722 Moody Street, Galveston, TX 77550
2. Texas-Aransas County Court House (Commissioners Courtroom), 301 North Live Oak Street, Rockport, TX 78382.

FOR FURTHER INFORMATION CONTACT:

Charles A. Oravetz, 813-570-5312, FAX: 813-570-5300 or Russell J. Bellmer, 301-713-1401.

SUPPLEMENTARY INFORMATION:

Background

All sea turtles that occur in U.S. waters are listed as either endangered or threatened under the Endangered Species Act of 1973 (ESA). The Kemp's ridley (*Lepidochelys kempi*), leatherback (*Dermochelys coriacea*), and hawksbill (*Eretmochelys imbricata*) are listed as endangered. Loggerhead (*Caretta caretta*) and green (*Chelonia mydas*) turtles are listed as threatened, except for breeding populations of green turtles in Florida and on the Pacific coast of Mexico, which are listed as endangered.

The incidental take and mortality of sea turtles as a result of shrimp trawling activities have been documented in the Gulf of Mexico and along the Atlantic seaboard. Under the ESA and its implementing regulations, taking sea turtles is prohibited, with exceptions set forth at 50 CFR 227.72. The incidental taking of turtles during shrimp trawling in the Gulf and Atlantic Areas is excepted from the taking prohibition, if the sea turtle conservation measures specified in the sea turtle conservation regulations (50 CFR part 227, subpart D) are employed. The regulations require most shrimp trawlers operating in the Gulf of Mexico and Southeast U.S. Atlantic to have a NMFS-approved TED installed in each net rigged for fishing, year round.

Recent Events

On April 30, 1995 (60 FR 21741, May 3, 1995), the sea turtle conservation measures were revised, for a 30-day period expiring on May 30, 1995, for shrimp trawlers fishing in nearshore waters along two sections of the Texas and Louisiana coast (statistical Zones 18 and 20, and a portion of Zone 17) in order to ensure that ongoing shrimp fishing would not likely jeopardize the continued existence of listed species of sea turtles and that the incidental take level identified in the incidental take

statement (ITS) accompanying the Biological Opinion issued November 14, 1994 (BO) on shrimp fishing would not be exceeded, which would require reinitiation of consultation pursuant to 50 CFR 402.16. The revisions were imposed as temporary additional restrictions pursuant to 50 CFR 227.72(e)(6). This provision states that such restrictions may be imposed upon the determination of the Assistant Administrator for Fisheries, NOAA (AA), that continued takings of sea turtles by shrimp fishing are unauthorized, because they would violate the restrictions, terms and conditions of the ITS issued with the BO or would likely jeopardize the continued existence of a listed species. The BO specifically requires that such restrictions be imposed immediately when sea turtle takings, indicated or documented, reach 75 percent of the established incidental take levels. The restrictions imposed were necessitated by the continued high rates of sea turtle strandings occurring along areas of the Texas coast, and were consistent with the BO and the NMFS Shrimp Fishery Emergency Response Plan (ERP).

The BO required the development of a plan to respond to elevated stranding levels. The ERP provides a general statement of policy with respect to NMFS' enforcement practice and use of future rulemaking in response to elevated sea turtle strandings associated with shrimping effort and ensures compliance with sea turtle conservation regulations. The ERP was signed by the AA on March 14, 1995, and was immediately distributed widely among industry and environmental groups. A notice of availability of the ERP was published in the **Federal Register** on April 21, 1995 (60 FR 19885), and comments are being accepted. In addition, NMFS distributes weekly reports of stranding events and notices of enforcement efforts and restrictions being implemented. NMFS is currently in the process of revising the ERP based on comments received.

A complete discussion of sea turtle strandings in Texas was contained in the temporary restrictions published on May 3, 1995 (60 FR 21741), and only a summary of strandings is provided here. For the 3 consecutive weeks from April 9 through April 29, strandings in Zone 18 were 12, 16, 6 turtles per week, respectively. The temporary restrictions went into effect on April 30, and strandings for the 2 consecutive weeks beginning April 30 through May 13 were 8, and 8 turtles per week, respectively. Forty of the 50 total turtles stranded during this 5-week period were Kemp's ridleys. Texas offshore waters

out to 200 nm (370.6 km) were closed to shrimping on May 15, and only 1 turtle stranded in Zone 18 between May 14 and May 20. For the 3 consecutive weeks beginning April 9 and ending April 29, strandings in Zone 20 were 3, 3, and 16 turtles per week, respectively. Seven of the 22 turtles were Kemp's ridleys. The temporary restrictions went into effect on April 30, and only 3 turtles stranded in Zone 20 over the next 3 weeks. These strandings approach or exceed the indicated take levels established for those zones with the exception of Zone 18 following the closure of waters off Texas and Zone 20 following the effective date of the temporary restrictions.

While the ERP's approach is to respond to increases in strandings as they occur, this proposed rule seeks to anticipate and prevent strandings before they occur. Many of the comments that NMFS received on the temporary restrictions published on May 3 concerned the lack of prior notice and opportunity for public comment (see Comments on the Emergency Response Plan and Temporary Restrictions section below). NMFS seeks to address this criticism by providing prior notice and an opportunity for public comment through publishing this proposed rule, which would impose certain restrictions upon the reopening of the waters off Texas. Based on historical data, the thresholds identified in the ERP and ITS likely will be reached and perhaps exceeded shortly after the reopening of the waters off Texas if no additional restrictions are imposed (see Texas Closure section below). NMFS believes that, if the restrictions contained in this proposed rule are not imposed effective upon the reopening of the waters off Texas, the thresholds identified in the ERP will be met or exceeded and restrictions pursuant to 50 CFR 227.72(e)(6) will need to be imposed shortly thereafter, with little or no prior notice or opportunity for prior public comment and little or no delayed effective date. In addition, although this proposed rule is not based on the thresholds identified in the ERP having been reached, it would impose the same restrictions identified in the ERP and promulgated on May 3, and as modified on May 18, 1995 (60 FR 26691). Given the relationship between this rule, the ERP and the temporary restrictions imposed pursuant to 50 CFR 227.72(e)(6), NMFS considered the comments received on the ERP and the temporary restrictions imposed on May 3, 1995 in developing this proposed rule.

The Texas Closure

Every year, offshore waters along Texas boundaries are closed to shrimp fishing out to 200 nm (370.6 km) for approximately 6 to 8 weeks in the late spring and early summer. The Texas closure is coordinated each year by State and Federal fishery managers to allow shrimp to grow to more valuable sizes and increase profits in the fishery. The Texas closure began this year on May 15 and will end no later than July 15. The exact date of the reopening is set by the State of Texas, which monitors shrimp sizes and distributions to determine the optimum time to open the fishery. Over the last 5 years, the waters have always been reopened earlier than July 15.

The reopening of waters off Texas after the closure is usually marked by heavy shrimping activity, with many shrimp vessels from Texas and other states participating. Sea turtle strandings in Texas historically have been low during the closure and have increased dramatically when the waters off Texas were reopened to shrimping. A comparison of strandings during the last 4 weeks of the closure to strandings during the first 4 weeks following the reopening to shrimping, clearly illustrates this trend. For example, in 1990, 6 dead turtles stranded on Texas offshore beaches in the 4 weeks before reopening, while 51 dead turtles stranded in the 4 weeks following reopening. In 1991, the corresponding stranding rates were 4 and 21; in 1992, 3 and 25; in 1993, 4 and 24. In 1994, 9 dead sea turtles stranded in Texas during the 4 weeks prior to reopening, while 99 dead turtles stranded in the 4 weeks following reopening. These data suggest an 8½ fold increase in sea turtle strandings in Texas over the last 5 years following the reopening of the waters off Texas to shrimping.

NMFS and the U.S. Coast Guard maintained high levels of enforcement of TED requirements throughout the waters off Texas prior to the Texas closure. In addition, NMFS gear experts conducted skill-building workshops in Texas during the spring to assist shrimpers regarding the proper use of TEDs. Nonetheless, continued elevated sea turtle strandings occurred in two statistical zones in Texas where shrimp trawl effort was high, and this required NMFS to impose additional restrictions to conserve listed sea turtles in accordance with the ERP. Before the restrictions were implemented, total sea turtle strandings in Texas were occurring at the same rate seen in 1994, which had been determined to likely jeopardize the continued existence of

the Kemp's ridley sea turtle. Upon imposing the restrictions, however, strandings were sharply reduced, as previously discussed.

Although NMFS and the U.S. Coast Guard will maintain high enforcement levels when Texas Gulf waters open, NMFS does not believe that this alone will be sufficient to maintain sea turtle mortalities within the incidental take level specified in the ITS accompanying the November 14, 1994, BO. Earlier this season, high enforcement presence alone was not sufficient to prevent the sea turtle mortalities that triggered the promulgation of restrictions in accordance with the ERP. The historical stranding patterns indicate that sea turtle strandings will likely rise very sharply when the waters off Texas reopen. Indicated take levels likely would be reached or exceeded in one or more zones in Texas, requiring NMFS to impose restrictions on an emergency basis, in accordance with the ERP.

Given the likelihood of elevated sea turtle strandings following the reopening of the waters off Texas to shrimping and the need to impose restrictions on the shrimp fishery as an emergency response thereto, NMFS believes that, in compliance with the ESA, it is in the best interests of the shrimp fishery and the conservation of listed sea turtles to impose restrictions on shrimp trawling upon the reopening of the waters off Texas. Shrimp industry representatives have stated that implementing emergency restrictions 2 weeks after the reopening would be disruptive to shrimpers at the height of the shrimp season.

Furthermore, immediate implementation of restrictions might impair their effectiveness because of difficulties in communicating the restrictions to those who must comply and the time necessary to come into compliance. If elevated sea turtle strandings continue, NMFS would have to take more restrictive steps to protect sea turtles. NMFS is, therefore, proposing this temporary rule, to be effective when waters off Texas reopen to shrimping, in order to protect listed sea turtles, reduce sea turtle strandings, reduce the possible need for further restrictive measures, avoid disruption of fishing activities, and give prior notice and an opportunity for prior comment. NMFS is proposing to impose the same restrictions that were in place in waters off Texas before the Texas closure, because many shrimpers are familiar with those restrictions and have already made modifications to their gear to bring that gear into compliance with the restrictions.

Comments on the Emergency Response Plan and Temporary Restrictions

As stated earlier, NMFS made the ERP available to all concerned parties, accepting comments, and is currently in the process of revising the ERP based on those comments. In addition, NMFS considered those comments in developing this proposed rule. One commenter objected to the possible restrictions on soft TEDs and asked that NMFS assess alternatives to flap restrictions. The required use of TEDs in try nets was stated to be acceptable and the commenter stated that many local fishermen already used TEDs in try nets. NMFS has also received proposals from several representatives of the shrimp fishery that set forth alternative restrictions that would limit nearshore fishing pressure and resulting levels of turtle capture, of which one has been submitted as a petition for rulemaking pursuant to section 553(e) of the Administrative Procedure Act (APA), and to which NOAA will respond. In addition, NMFS has received comments supporting the ERP and the imposition of additional restrictions on shrimp fishing.

NMFS received numerous comments on the temporary restrictions published on May 3, 1995 (60 FR 21741). These came primarily by telephone and at a meeting hosted by shrimp industry representatives and attended by NMFS personnel on May 5, 1995, as well as at additional meetings held between NMFS personnel and industry representatives on May 12 and May 19.

Many shrimpers stated that the prohibition on the use of all try nets without TEDs installed was unreasonable, because NMFS had not provided any alternative that would allow them to monitor their catch rates and catch composition, forcing them to fish inefficiently. NMFS subsequently modified the temporary restrictions (60 FR 26691, May 18, 1995) to allow certain small try nets to be used without TEDs installed.

NMFS also received many comments that both the ERP and the temporary requirements were developed and implemented without adequate notice and opportunity to comment, and without adequate time for the shrimpers to come into compliance with the temporary restrictions. In addition, several industry groups have recently filed suit against NMFS alleging failure to comply with sections 553(b) and 553(d) of the APA in promulgating of the ERP and the temporary restriction of May 3. The APA requirement does not apply to interpretative rules, general statements of policy, or rules of agency

organization, procedure or practice, and the delayed effective requirement does not apply to interpretative rules and statements of policy. Additionally, the APA provides that an agency may for good cause find that advance notice and opportunity for comment, as well as a delayed effective date, may be impracticable, unnecessary or contrary to the public interest. Nevertheless, NMFS recognizes the concerns of shrimpers that prior notice, opportunity for prior public comment, and delayed effective date should be provided to the greatest extent possible. The purpose of the ERP is to provide notice to the public as to when and what additional restrictions NMFS likely is to impose as strandings of listed sea turtles increased or non-compliance with requirements increased. This proposed rule likewise serves to give the prior public notice an opportunity for prior public comment on restrictions before the thresholds in the ERP are met.

Provisions of the Proposed Rule

This proposed rule would prohibit fishing by shrimp trawlers (as defined in 50 CFR 217.12), starting 12:01 a.m. (local time) on the day of the reopening of the waters off Texas to shrimp fishing and ending 11:59 p.m. (local time) 30 days after the reopening, in offshore waters, seaward to 10 nm (18.5 km) from the COLREGS line, bounded between the line along 27° N. lat. and the line along 93°50.3' W. long. (the Texas-Louisiana border), unless they are in compliance with the following prohibitions and all other applicable provisions in 50 CFR 227.72(e):

1. The use of soft TEDs described in 50 CFR is prohibited.
2. The use of hard TEDs with bottom escape openings and special hard TEDs with bottom escape openings is prohibited. Approved hard TEDs and special hard TEDs must be configured with the slope of the deflector bars upward from forward to aft and with the escape opening at the top of the trawl.
3. The use of try nets with a headrope length greater than 12 ft (3.6 m) or a footrope length greater than 15 ft (4.6 m) is prohibited unless a NMFS-approved top-opening, hard TED or special hard TED is installed when the try nets are rigged for fishing. Try nets with a headrope length 12 ft (3.6 m) or less and a footrope length 15 ft (4.6 m) or less would be exempt from the TED-use requirement in accordance with paragraph (e)(2)(ii)(B)(1).

4. The use of a webbing flap that completely covers the escape opening in the trawl is prohibited. Any webbing that is attached to the trawl, forward of the escape opening, must be cut to a

length so that the trailing edge of such webbing does not approach to within 2 inches (5.1 cm) of the posterior edge of the TED grid. The requirements for the size of the escape opening would be unchanged.

The proposed rule would suspend for a 30-day period all provisions in 50 CFR 227.72(e), including, but not limited to 50 CFR 227.72(e)(2)(ii)(B)(1) (use of try nets), 50 CFR 227.72(e)(4)(iii) (Soft TEDs), 50 CFR 227.72(e)(4)(i)(F) (Position of escape opening), and 50 CFR 227.72(e)(4)(iv)(C) (Allowable modification to TEDs), that are not consistent with these prohibitions.

This proposed rule would also require owners and operators of shrimp trawlers in the area subject to temporary restrictions to carry a NMFS-approved observer aboard their vessel(s), if directed to do so by the Director, Southeast Region, NMFS, upon written notification sent to either the address specified for the vessel registration or documentation purposes, or otherwise served on the owner or operator of the vessel. Owners and operators and their crew would be required to comply with the terms and conditions specified in such written notification.

These restrictions would allow shrimp trawling to continue in the affected area while providing heightened protection for sea turtles. The use of those TEDs with the greatest potential for turtle capture would be prohibited. Although soft TEDs and bottom-opening TEDs have generally been approved for use, NMFS believes that they may not be as effective at releasing turtles, particularly small juvenile turtles, under some conditions, as top-opening hard TEDs. NMFS researchers have determined through recent in-water testing that small turtles require almost twice as long to escape from a bottom-opening TED than from a top-opening TED (average 125.6 seconds vs. average 68.8 seconds) under ideal conditions. NMFS has previously promulgated regulations to address and discuss other problems with bottom-opening hard TEDs (59 FR 33447, June 29, 1994; 60 FR 15512, March 24, 1995).

Try nets without an approved TED installed would be prohibited except for small try nets. While try nets have been exempted from the requirement to have a TED installed, because they are only intended for use in brief sampling tows not likely to result in turtle mortality, turtles are, however, caught in try nets. Either through repeated captures or long tows, try nets can contribute to the mortality of sea turtles. Takes of sea turtles in try nets, including one mortality, have been documented by NMFS.

Finally, use of full length webbing flaps would be prohibited. While full length flaps have been permitted to help reduce shrimp loss with TEDs, such flaps may hinder turtle release. In a top-opening TED, high pressure is generated above the trawl net, which forces the webbing flap closed, while in a bottom-opening TED the weight of the TED grid can pin the webbing flap shut over the escape opening. Testing has shown that turtles escape more readily from TEDs with shortened flaps than from TEDs with long flaps (55.2 second average escape time vs. 68.8 second average escape time). Additionally, the webbing flap can be sewn shut to disable the TED deliberately. Underwater investigations of the performance of top-opening TEDs with shortened webbing flaps indicated that the shortened webbing flap should not contribute to any shrimp loss. Under this proposed rule, only approved hard TEDs and special hard TEDs with top escape openings and shortened flaps that do not cover the escape opening would be allowed in shrimp trawls in the affected area.

Additional Conservation Measures

The AA may issue a determination that incidental takings of listed species during fishing activities are unauthorized, and, pursuant thereto, may restrict fishing activities in order to conserve threatened and endangered species. The regulatory authority for this is codified at 50 CFR 227.72(e)(6), and guidance in determining unauthorized takings and in setting restrictions is set forth in the ERP. NMFS will continue to monitor sea turtle strandings and will implement the provisions of the ERP as necessary. If offshore sea turtle strandings in any statistical zones in Texas persist at or above 75 percent of the indicated take level for 4 weeks, NMFS will follow the guidance in the ERP to determine whether to limit fishing effort, as required, in the offshore waters of the zones affected by elevated strandings, seaward to 10 nm (18.5 km) from the COLREGS line, for a period of 30 days. Contiguous statistical areas or portions of those areas may be included in the restrictions as necessary. These restrictions may apply to gear types/vessels currently exempted from the TED requirement at 50 CFR 227.72(e)(2)(ii) (A) and/or (B). Area restrictions will be promulgated through emergency rulemaking notices pursuant to the procedures set forth at 50 CFR 227.72(e)(6).

Request for Comments

NMFS will accept written comments (see ADDRESSES) on this proposed rule for a 15-day period from date of

publication in the **Federal Register**. In addition, NMFS will conduct two public hearings on this action (see ADDRESSES).

Classification

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

The Assistant General Counsel for Legislation and Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule would not have significant economic impact on a substantial number of small entities, because these restrictions would impose only a minor economic burden on shrimp fishermen. The predominant TED design in use in the affected area is a bottom-opening hard grid TED. Bottom-opening hard grid TEDs can be modified to comply with the requirements of this rule in one to two hours with little, if any, cost. Any webbing flap over the escape opening can be shortened in less than 10 minutes. Trawlers equipped with only soft TEDs would have to move out of the affected area, either offshore or alongshore, or to equip their nets with hard TEDs. Hard grid TEDs are available for as little as \$75.00 and take only a few hours to install.

The AA prepared an EA for this proposed rule and copies are available (see ADDRESSES).

List of Subjects in 50 CFR Part 227

Endangered and threatened species, Exports, Imports, Marine mammals, Transportation.

Dated: June 13, 1995.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 227 is proposed to be amended as follows:

PART 227—THREATENED FISH AND WILDLIFE

1. The authority citation for part 227 continues to read as follows:

Authority: 16 U.S.C. 1531 *et seq.*

2. In § 227.72, paragraph (e)(2)(v) is added to read as follows:

§ 227.72 Exceptions to prohibitions.

* * * * *

(e) * * *

(2) * * *

(v) *Gear requirements—Offshore waters along Texas—(A) Gear restrictions.* Any shrimp trawler is prohibited from fishing in offshore

waters, seaward to 10 nm (18.5 km) from the COLREGS line, bounded between the line along 27° N. lat. and the line along 93°50.3' W. long. (the Texas-Louisiana border) unless it is in compliance with the prohibitions in paragraphs (e)(2)(v)(A) (1) through (4) of this section, and all other applicable provisions to § 227.72(e), unless such provisions do not conform to the prohibitions in paragraphs (e)(2)(v)(A) (1) through (4) of this section. Any provision in this section, including but not limited to, paragraph (e)(2)(ii)(B)(1) of this section (use of try nets), paragraph (e)(4)(iii) of this section (Soft TEDs), paragraph (e)(4)(i)(F) of this section (Position of escape opening), and paragraph (e)(4)(iv)(C) of this section (Allowable modification to TEDs), that does not conform to the prohibitions in paragraphs (e)(2)(v)(A) (1) through (4) of this section is suspended for the duration of this rule.

(1) The use of soft TEDs is prohibited.

(2) The use of hard TEDs with bottom escape openings and special hard TEDs with bottom escape openings is prohibited. Approved hard TEDs and special hard TEDs must be configured with the slope of the deflector bars upward from forward to aft and with the escape opening at the top of the trawl.

(3) The use of try nets with a headrope length greater than 12 ft (3.6 m) or a footrope length greater than 15 ft (4.5 m) is prohibited unless a NMFS-approved top-opening, hard TED or special hard TED is installed when the try nets are rigged for fishing. Try nets with a headrope length 12 ft (3.6 m) or less and a footrope length 15 ft (4.5 m) or less are exempt from the TED-use requirement in accordance with paragraph (e)(2)(ii)(B)(1) of this section.

(4) The use of a webbing flap that completely covers the escape opening in the trawl is prohibited. Any webbing that is attached to the trawl, forward of the escape opening, must be cut to a length so that the trailing edge of such webbing does not approach to within 2 inches (5.1 cm) of the posterior edge of the TED grid. The requirements for the size of the escape opening set forth in paragraph (e)(4)(i)(G) of this section apply (see Figure 14 to part 227).

(B) *Monitoring.* Shrimp trawlers operating in offshore waters, seaward to 10 nm (18.5 km) from the COLREGS line, bounded between the line along 27° N. lat. and the line along 93°50.3' W. long. (the Texas-Louisiana border) must carry a NMFS-approved observer aboard such vessel(s) if directed to do so by the Southeast Regional, Director, upon written notification sent to either the address specified for the vessel registration or documentation purposes,

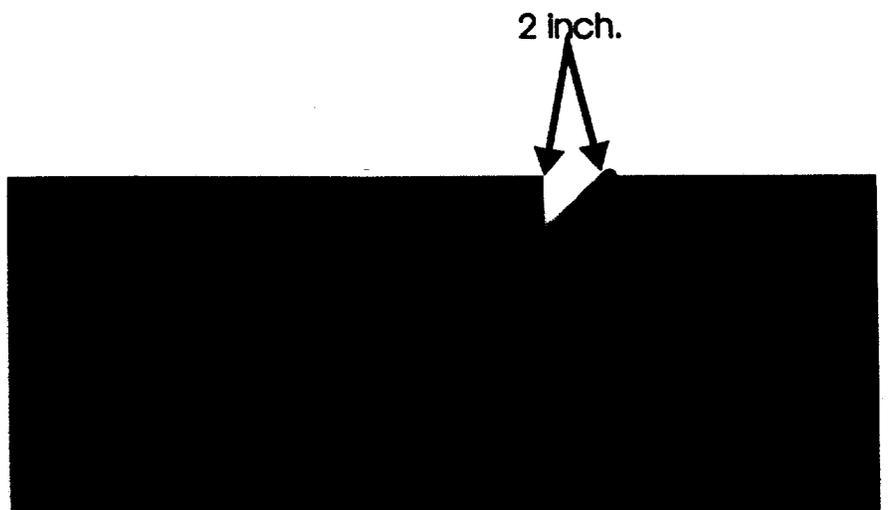
or otherwise served on the owner or operator of the vessel. Owners and operators and their crew must comply with the terms and conditions specified in such written notification. All NMFS-approved observers will report any

violations of this section, or other applicable regulations and laws; such information may be used for enforcement purposes.

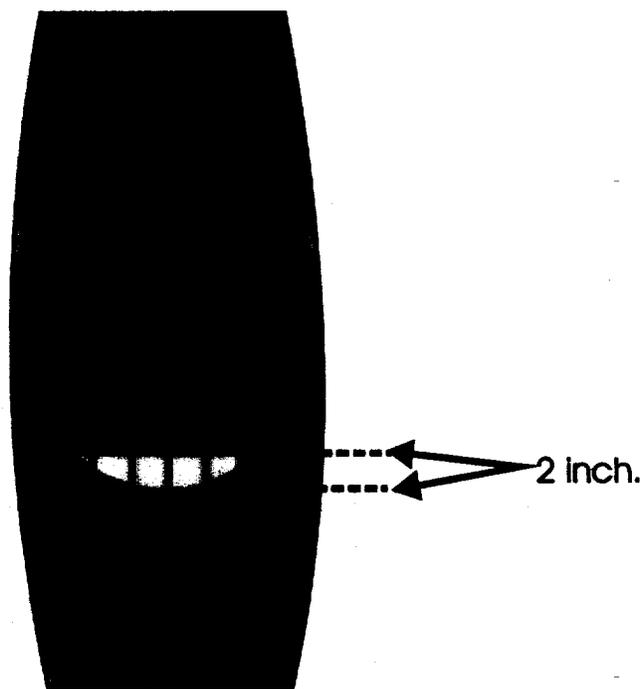
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3. Figure 14 to part 227 is added to read as follows:

BILLING CODE 3510-22-W



SIDE VIEW



TOP VIEW

FIGURE 14 to part 227--Shortened Webbing Over the Escape Opening
Complying With Requirement at 50 CFR 227.72(e)(2)(v)(A)(4)