

investments by U.S. fishermen and processors in the herring fishery.

The difference between MSY (385,200 mt) less the combined removals resulting from the Canadian catch (34,200 mt) and IWPs (68,000 mt) would leave 283,000 mt. The MSY would be further modified to provide a measure of confidence in achieving a risk-averse approach to management of the herring stock, given variations and fluctuations in abundance, and result in an OY of 89,220 mt. The OY represents the estimated DAH which is further expressed as an estimated DAP of 49,220 mt, with the remaining DAH of 40,000 mt available to JVP. The difference between the herring amount remaining (193,780 mt) after the Canadian catch and IWPs, less OY, represents the uncertainty indicated above. It has been determined that this OY will result in the greatest overall benefit to the nation by stimulating further development of an underutilized fishery and diverting effort away from other overfished fisheries.

The PMP establishes permit conditions and restrictions for foreign vessels that participate in the joint venture processing fisheries. These conditions are necessitated by conservation and management requirements. Such conditions and restrictions will be included in each permit issued and those that pertain to management area restrictions, including the areas and periods for which foreign processing vessels may participate in JVP operations, are described in detail in the PMP.

**Classification**

The Assistant Administrator for Fisheries, NOAA (AA), finds there is good cause to waive providing prior notice and opportunity for public comment under 5 U.S.C. 553(b)(B). Providing prior notice and opportunity for public comment is impracticable and contrary to the public interest due to the need to provide timely opportunity for joint ventures to occur this summer in an underutilized fishery. Because this rule relieves a restriction, under 5 U.S.C. 553(d)(1) there is no need to delay its effectiveness for 30 days.

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

A section 7 consultation conducted by the Northeast Region of NMFS concluded that the level and type of fishing in the fishery provided for under this PMP/rule is not likely to adversely affect endangered or threatened species or critical habitat. This consultation decision is based on the PMP/rule

provisions and does not constitute consultation on the herring fishery.

**List of Subjects in 50 CFR Part 611**

Fisheries, Foreign relations, Reporting and recordkeeping requirements.

Dated: July 18, 1995.

**Gary Matlock,**

*Program Management Officer, National Marine Fisheries Service.*

For the reasons set out in the preamble, 50 CFR part 611 is amended as follows:

**PART 611—FOREIGN FISHING**

1. The authority citation for part 611 continues to read as follows:

**Authority:** 16 U.S.C. 1801 *et seq.*, 16 U.S.C. 971 *et seq.*, 22 U.S.C. 1971 *et seq.*, and 16 U.S.C. 1361 *et seq.*

2. In § 611.50, paragraphs (b)(4)(i) and (b)(4)(ii) are revised to read as follows:

**§ 611.50 Northwest Atlantic Ocean fishery.**

\* \* \* \* \*

(b) \* \* \*

(4) \* \* \*

(i) The other allocated species, namely: Short-finned squid, long-finned squid, Atlantic herring, Atlantic mackerel, river herring (includes alewife, blueback herring, and hickory shad), and butterfish; and

(ii) The prohibited species, namely: American plaice, American shad, Atlantic cod, Atlantic menhaden, Atlantic redfish, Atlantic salmon, all marlin, all spearfish, sailfish, swordfish, black sea bass, bluefish, croaker, haddock, ocean pout, pollock, red hake, scup, sea turtles, sharks (except dogfish), silver hake, spot, striped bass, summer flounder, tilefish, yellowtail flounder, weakfish, white hake, windowpane flounder, winter flounder, witch flounder, Continental Shelf fishery resources, and other invertebrates (except nonallocated squids).

\* \* \* \* \*

**§ 611.5 [Removed and Reserved]**

3. Section 611.51 is removed and reserved.

4. Section 611.52 is added to subpart C to read as follows:

**§ 611.52 Atlantic herring fishery.**

(a) *Initial specifications.* The initial specifications of OY, DAH, DAP, JVP, TALFF, and reserve (if any) have been established by the PMP for Atlantic herring approved on July 6, 1995. These annual specifications will remain in effect unless adjusted pursuant to the provisions specified in paragraph (b) of this section.

(b) *Procedures to adjust initial specifications.* NMFS may adjust these initial specifications upward or downward to produce the greatest overall benefit to the United States at any time prior to or during the fishing years for which the initial specifications are set by publishing a notice in the **Federal Register** with the reasons for such adjustments. Any notice of adjustment may provide for public comment. Adjustments to the initial specifications may take into account the following information:

- (1) The estimated domestic processing capacity and extent to which it will be used;
- (2) Landings and catch statistics;
- (3) Stock assessments; and
- (4) Relevant scientific information.

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**50 CFR Part 661**

[I.D. 042095A]

RIN 0648-AH79

**Ocean Salmon Fisheries Off the Coasts of Washington, Oregon, and California; 1995 Management Measures; Correction**

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

**ACTION:** Final rule; correction.

**SUMMARY:** This document contains a correction of a final regulation (I.D. 042095A) that was published on Wednesday, May 3, 1995 (60 FR 21746). The regulation established the 1995 management measures for the Ocean Salmon Fisheries Off the Coasts of Washington, Oregon, and California.

**EFFECTIVE DATE:** July 21, 1995.

**FOR FURTHER INFORMATION CONTACT:** William D. Chappell, 301-713-2341.

**SUPPLEMENTARY INFORMATION:** On May 3, 1995 (60 FR 21746), NMFS published final management measures for the ocean salmon fishery. This action published applicable management measures effective May 1, 1995, off the West Coast. The action included two complex tables which laid out the management measures for the commercial and recreational salmon fisheries (Tables 1 and 2, respectively) in management areas bounded by prominent landmarks along the coast. The tables provided for direct inclusion in the **Federal Register** inadvertently included errors which replaced the degree symbol (°) with "E", the minutes

symbol (') with "N", and the seconds symbol (") with "NN" for latitudes (lat.) identifying those points. The latitudes of the landmarks were correctly identified in the document under the heading "Geographical Landmarks." This notice corrects the management area divisions by correctly describing them in Tables 1 and 2 of the document.

#### **Correction of Publication**

Accordingly, the publication on May 3, 1995, (60 FR 21746), of the final management measures (I.D. 042095A), that were the subject of FR Doc. 95-10804, are corrected as follows:

#### **Table 1 and 2 [Corrected]**

On pages 21751-21752 and 21754-21755 respectively, Part A to *Table 1. Commercial management measures for 1995 ocean salmon fisheries*, and Part A to *Table 2. Recreational management measures for 1995 ocean salmon fisheries* are corrected to read as follows:

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**Table 2. Recreational management measures for 1995 ocean salmon fisheries.**

(Note: This table contains important restrictions in Parts A, B, C, and D which must be followed for lawful participation in the fishery. Areas on the map are not proportional to actual geographic areas.)

**A. SEASONS, SUBAREA QUOTAS, SPECIES AND BAG LIMITS (Shaded areas represent closures.)**

FEB/MAR/APR	MAY	JUNE	JULY	AUGUST	SEPT/OCT/NOV	
U.S.-CANADA BORDER						U.S.-CANADA BORDER
CAPE ALAVA 48°10'00" N. lat.						CAPE ALAVA 48°10'00" N. lat.
QUEETS RIVER 47°31'42" N. lat.						QUEETS RIVER 47°31'42" N. lat.
LEADBETTER POINT 46°38'10" N. lat.						LEADBETTER POINT 46°38'10" N. lat.
CAPE FALCON 45°46'00" N. lat.						CAPE FALCON 45°46'00" N. lat.
HUMBUG MOUNTAIN 42°40'30" N. lat.						HUMBUG MOUNTAIN 42°40'30" N. lat.
<p>8/1 thru earlier of 9/28 or 5,850 coho subarea quota (D.1.). Open 7 days per week. All salmon except chinook. 2 fish per day. Closed 0 to 3 miles (4.8 km) of shore south of Skagway Rock (48°21'38" N. lat.). Inseason management may be used to maintain season length.</p>						Neah Bay
<p>8/1 thru earlier of 9/28 or 1,460 coho subarea quota (D.1.). Open Sunday thru Thursday only. All salmon except chinook. 2 fish per day. Closed 0 to 3 miles (4.8 km) of shore. Inseason management may be used to maintain season length.</p>						La Push
<p>7/24 thru earlier of 9/28 or 20,800 coho subarea quota (D.1.). Open Sunday thru Thursday only. All salmon except chinook. 2 fish per day. No more than 4 fish in 7 consecutive days. Closed 0 to 3 miles (4.8 km) of shore. Inseason management may be used to maintain season length.</p>						Westport
<p>7/24 thru earlier of 9/28 or 28,125 coho subarea quota (D.1.). Open Sunday thru Thursday only. All salmon except chinook. 2 fish per day. No more than 4 fish in 7 consecutive days. Closed 0 to 3 miles (4.8 km) of shore and in Control Zone 1, Columbia River mouth (C.3.). Inseason management may be used to maintain season length.</p>						Ilwaco/Astoria
<p>5/1 thru 6/30. All salmon except coho. 2 fish per day. No more than 6 fish in 7 consecutive days. See gear restriction C.2. Closed in Control Zone 2, mouth of Tillamook Bay, in June (C.4.).</p>						Garibaldi Pacific City Newport Florence Coos Bay

**Table 2. Recreational management measures for 1995 ocean salmon fisheries (continued).**

FEB/MAR/APR	MAY	JUNE	JULY	AUGUST	SEPT/OCT/NOV	
HUMBUG MOUNTAIN 42°40'30" N. lat.						
	5/17 thru earlier of 7/8 or 10,600 chinook quota (D.2.). Open Wednesday thru Saturday only. All salmon except coho. 1 fish per day. If quota exceeded by more than 10%, the amount over 10% will be deducted from the August quota.			8/16 thru earlier of 8/31 or 900 chinook quota (D.2.). Open Wednesday thru Saturday only. All salmon except coho. 1 fish per day. No more than 6 fish in 7 consecutive days.	8/1 thru 9/9. All salmon except coho. 1 fish per day. No more than 6 fish in 7 consecutive days.	Gold Beach Brookings  Crescent City  Eureka
HORSE MOUNTAIN 40°05'00" N. lat.						
	2/18 (nearest Saturday to 2/15) thru 4/30. All salmon. 2 fish per day. 5/1 thru 6/30. All salmon except coho. 2 fish per day. In 1996, the season will open 2/17 (nearest Saturday to 2/15) thru 4/30 for all salmon except coho; 2 fish per day.			8/1 thru 11/12 (nearest Sunday to 11/15). All salmon except coho. 2 fish per day.		Shelter Cove Fort Bragg
POINT ARENA 38°57'30" N. lat.						
	3/4 (nearest Saturday to 3/1) thru 4/30. All salmon. 2 fish per day. 5/1 thru 10/29 (nearest Sunday to 11/1). All salmon except coho. 2 fish per day. In 1996, the season will open 3/2 (nearest Saturday to 3/1) thru 4/30 for all salmon; 2 fish per day. If evaluation indicates low coho abundance in 1996, inseason action may be taken to prohibit retention of coho. In 1996, Control Zone 4, near the mouth of San Francisco Bay, will be closed from 3/2 thru 3/31 (C.6).					Bodega Bay San Francisco Half Moon Bay Monterey
U.S.-MEXICO BORDER						
POINT ARENA 38°57'30" N. lat.						
U.S.-MEXICO BORDER						

Dated: July 13, 1995.

Nancy Foster,  
Deputy Assistant Administrator for Fisheries,  
National Marine Fisheries Service.

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