

listing of "Deep Fork National Wildlife Refuge" under the state of Oklahoma.

3. Section 32.55 *Oklahoma* is amended by adding the alphabetical listing of Deep Fork National Wildlife Refuge to read as follows:

**§ 32.55 Oklahoma.**

\* \* \* \* \*

*Deep Fork National Wildlife Refuge*

A. *Hunting of Migratory Game Birds.* [Reserved.]

B. *Upland Game Hunting.* [Reserved.]

C. *Big Game Hunting.* [Reserved.]

D. *Sport Fishing.* Sport fishing for channel catfish, flathead catfish, blue catfish, crappie, white bass, large mouth bass and other species is permitted on designated areas of the refuge in accordance with State regulations and pursuant to the following special refuge conditions:

1. Bank fishing is permitted year-round on the Deep Fork River. Bank fishing with pole and line is permitted from March 1 through September 30 on the sloughs separated from the Deep Fork River.

2. Boats may be launched on the refuge from access points designated in the refuge leaflet. Only small boats or canoes will be permitted on the refuge.

3. The use of firearms is prohibited.

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Dated: October 25, 1995.

George T. Frampton, Jr.,  
*Assistant Secretary for Fish and Wildlife and Parks.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 672**

[Docket No. 950206041-5041-01; I.D. 112495A]

**Groundfish of the Gulf of Alaska; Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area**

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

**ACTION:** Closure.

**SUMMARY:** NMFS is prohibiting retention of Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area of the Gulf of Alaska (GOA). NMFS is requiring that catches of Pacific cod

by these vessels in the Central Regulatory Area be treated in the same manner as prohibited species and discarded at sea with a minimum of injury. This action is necessary because the allocation of Pacific cod specified for the inshore component in this area has been reached.

**EFFECTIVE DATE:** 12 noon, Alaska local time (A.l.t.), November 29, 1995, until 12 midnight A.l.t., December 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** Andrew N. Smoker, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the GOA (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 672.

In accordance with § 672.20(c)(1)(ii)(B), the allocation of Pacific cod for the inshore component in the Central Regulatory Area was established by the Final 1995 Harvest Specifications of Groundfish (60 FR 8470, February 14, 1995) as 41,085 metric tons (mt).

The Director, Alaska Region, NMFS, has determined, in accordance with § 672.20(c)(3), that the allocation of Pacific cod total allowable catch (TAC) specified for the inshore component in the Central Regulatory Area in the GOA, has been reached. Therefore, NMFS is requiring that further catches of Pacific cod by operators of vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area in the GOA, be treated as prohibited species in accordance with § 672.20(e).

**Classification**

This action is taken under 50 CFR 672.20 and is exempt from review under E.O. 12866.

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

Dated: November 24, 1995.

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

[FR Doc. 95-29177 Filed 11-24-95; 3:21 pm]

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**50 CFR Parts 672 and 675**

[Docket No. 900833-1095; I.D. 111795B]

**Groundfish of the Gulf of Alaska; Groundfish Fishery of the Bering Sea and Aleutian Islands Area; Bycatch Rate Standards for the First Half of 1996**

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

**ACTION:** Pacific halibut and red king crab bycatch rate standards; request for comments.

**SUMMARY:** NMFS announces Pacific halibut and red king crab bycatch rate standards for the first half of 1996. Publication of these bycatch rate standards is necessary under regulations implementing the vessel incentive program. This action is necessary to implement the bycatch rate standards for trawl vessel operators who participate in the Alaska groundfish trawl fisheries. The intent of this action is to reduce prohibited species bycatch rates and promote conservation of groundfish and other fishery resources.

**DATES:** Effective 12:01 am, Alaska local time (A.l.t.), January 20, 1996, through 12 midnight, A.l.t., June 30, 1996. Comments on this action must be received at the following address no later than 4:30 p.m., A.l.t., December 28, 1995.

**ADDRESSES:** Comments should be mailed to Ronald J. Berg, Chief, Fisheries Management Division, NMFS, P.O. Box 21668, Juneau, AK 99802-1668, Attn: Lori Gravel; or be delivered to 709 West 9th Street, Federal Building, Room 401, Juneau, AK.

**FOR FURTHER INFORMATION CONTACT:** Susan J. Salvesson, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** The domestic groundfish fisheries in the exclusive economic zone of the Bering Sea and Aleutian Islands management area (BSAI) and Gulf of Alaska (GOA) are managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area and the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMPs). The FMPs were prepared by the North Pacific Fishery Management Council (Council) under the authority of the Magnuson Fishery Conservation and Management Act (Magnuson Act). The FMPs are implemented by regulations for the U.S. fishery at 50 CFR parts 672, 675, and 676. General regulations that also pertain to the U.S. fisheries appear at 50 CFR part 620.

Regulations at §§ 672.26 and 675.26 implement a vessel incentive program to reduce halibut and red king crab bycatch rates in the groundfish trawl fisheries. Under the incentive program, operators of trawl vessels may not exceed Pacific halibut bycatch rate standards specified for the BSAI and GOA midwater pollock and "other trawl" fisheries, and the BSAI yellowfin sole and 'bottom pollock' fisheries. Vessel operators also may not exceed red king crab bycatch rate standards specified for the BSAI yellowfin sole and "other trawl" fisheries in Bycatch Limitation Zone 1 (defined in § 675.2). The fisheries included under the incentive program are defined in regulations at §§ 672.26(b) and 675.26(b).

Regulations at §§ 672.26(c) and 675.26(c) require that halibut and red king crab bycatch rate standards for each fishery included under the incentive program be published in the Federal Register. The standards are in effect for specified seasons within the 6-month periods of January 1 through June 30, and July 1 through December 31. Given that the GOA and BSAI groundfish fisheries are closed to trawling from January 1 to January 20 of each year (§§ 672.23(e) and 675.23(d), respectively), the Regional Director is promulgating bycatch rate standards for the first half of 1996 effective from January 20, 1996, through June 30, 1996.

At its September 1995 meeting, the Council reviewed halibut and red king crab bycatch rates experienced by vessels participating in the fisheries under the incentive program during 1992-1995. The Council also reviewed individual vessel performance during 1994 and 1995 relative to specified bycatch rate standards. Based on this and other information presented below, the Council recommended halibut and red king crab bycatch rate standards for the first half of 1996. These standards are unchanged from those specified for the first half of 1994 and 1995. The Council's recommended bycatch rate standards are listed in Table 1.

TABLE 1.—BYCATCH RATE STANDARDS, BY FISHERY AND QUARTER (QT), FOR THE FIRST HALF OF 1996 FOR PURPOSES OF THE VESSEL INCENTIVE PROGRAM IN THE BSAI AND GOA

Fishery and quarter	1996 bycatch rate standard
Halibut bycatch rate standards (kilogram (kg) of halibut/metric ton (mt) of groundfish catch)	
BSAI Midwater pollock:	
Qt 1 .....	1.0
Qt 2 .....	1.0
BSAI Bottom pollock:	
Qt 1 .....	7.5
Qt 2 .....	5.0
BSAI Yellowfin sole:	
Qt 1 .....	5.0
Qt 2 .....	5.0
BSAI Other trawl:	
Qt 1 .....	30.0
Qt 2 .....	30.0
GOA Midwater pollock:	
Qt 1 .....	1.0
Qt 2 .....	1.0
GOA Other trawl:	
Qt 1 .....	40.0
Qt 2 .....	40.0
Zone 1 red king crab bycatch rate standards (number of crab/mt of groundfish catch)	
BSAI yellowfin sole:	
Qt 1 .....	2.5
Qt 2 .....	2.5
BSAI Other trawl:	
Qt 1 .....	2.5
Qt 2 .....	2.5

As required by §§ 672.26(c) and 675.26(c), the Council's recommended bycatch rate standards for January through June are based on the following information:

- (A) Previous years' average observed bycatch rates;
- (B) Immediately preceding season's average observed bycatch rates;
- (C) The bycatch allowances and associated fishery closures specified under §§ 672.20(f) and 675.21;
- (D) Anticipated groundfish harvests;
- (E) Anticipated seasonal distribution of fishing effort for groundfish; and
- (F) Other information and criteria deemed relevant by the Director of the Alaska Region, NMFS (Regional Director).

The recommended 1996 standards are based largely on anticipated seasonal fishing effort for groundfish species and 1992-1995 halibut and red king crab bycatch rates observed in the trawl fisheries included under the incentive program. The Council anticipates that the 1996 prohibited species bycatch

allowances, groundfish harvests, and seasonal distribution of fishing effort will be similar to 1995. Under this assumption, additional information considered by the Council when recommending the 1996 bycatch rate standards is discussed in the Federal Register publication of the bycatch rate standards for the first half of 1995 (60 FR 2905, January 12, 1995).

**Bycatch Rate Standards for Pacific Halibut**

As in past years, the halibut bycatch rate standard recommended for the BSAI and GOA midwater pollock fisheries (1 kg halibut/mt of groundfish) is higher than the bycatch rates normally experienced by vessels participating in these fisheries. The recommended standard is intended to encourage vessel operators to maintain off-bottom trawl operations and limit further bycatch of halibut in the pollock fishery when halibut bycatch restrictions at §§ 672.20(f)(3)(i) and 675.21(c)(1)(iii) prohibit directed fishing for pollock by vessels using nonpelagic trawl gear.

The recommended halibut bycatch rate standards for the BSAI "bottom pollock" fishery continue to approximate the average annual rates observed on trawl vessels participating in this fishery during the past 5 years. During the first and second quarters of 1995, the average halibut bycatch rates in this fishery were 1.95 and 6.82 kg halibut/mt groundfish, respectively. As in past years, the directed fishing allowances specified for the 1996 pollock roe or "A" season likely will be reached before the end of the "A" season on April 15. Directed fishing for pollock is prohibited from the end of the pollock "A" season (April 15) until the beginning of the pollock "B" season (August 15), except by vessels fishing under the Community Development Quota (CDQ) program (50 CFR 675.27).

Data available on halibut bycatch rates in the yellowfin sole fishery during the first and second quarters of 1995 showed an average bycatch rate of about 3.67 and 4.00 kg halibut/mt of groundfish, respectively. As in past years, the Council has presumed that a bycatch rate standard of 5.0 kg halibut/mt of groundfish for the yellowfin sole fishery will continue to encourage vessel operators to take action to avoid excessively high bycatch rates of halibut.

A 30 kg halibut/mt of groundfish bycatch rate standard was recommended for the BSAI "other trawl" fishery. This standard is unchanged since 1992. The Council recommended a 40 kg halibut/mt of

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.*

[FR Doc. 95-29104 Filed 11-28-95; 8:45 am]

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#### 50 CFR Part 675

[Docket No. 950830223-5273-02; I.D. 082395C]

RIN 0648-AE97

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

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