

[Federal Register: April 1, 1994]

DEPARTMENT OF COMMERCE
50 CFR Part 675

[Docket No. 90899-0015; I.D. 032594A]

Groundfish of the Bering Sea and Aleutian Islands Area

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

ACTION: Modification of observer coverage requirements.

SUMMARY: NMFS is modifying 1994 observer coverage requirements established for operators of certain catcher or processor vessels participating in a directed fishery for groundfish in statistical area 517 during the period that the 1994 directed fishery for Pacific cod is open in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to implement gear specific observer coverage requirements that result from new regulations implementing Amendment 24 to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) that allocate the BSAI Pacific cod total allowable catch (TAC) among vessels using trawl, hook-and-line or pot, and jig gear. This action is intended to carry out the objectives of the North Pacific Fishery Management Council.

EFFECTIVE DATE: Effective March 29, 1994, and expires 12 midnight, Alaska local time, December 31, 1994.

FOR FURTHER INFORMATION CONTACT: Susan J. Salveson, Fisheries Management Division, Alaska Region, NMFS, (907) 586-7228.

SUPPLEMENTARY INFORMATION: NMFS published a final rule in the Federal Register on January 20, 1994 (59 FR 3000), that implemented a change in 1994 observer coverage requirements for vessels participating in a directed fishery for groundfish in BSAI statistical area 517. The rule required an operator of a catcher or processor vessel equal to or greater than 60 feet (18.3 m) in length overall (LOA) and less than 125 feet (38.1 m) LOA to have a NMFS-certified observer on board the vessel each day that it is used to participate in a directed fishery for groundfish in statistical area 517 during the period that the 1994 directed fishery for Pacific cod is open. NMFS published a second rule in the Federal Register on January 28, 1994 (59 FR 4009), that suspended the effective date of the change in 1994 observer coverage requirements until February 13, 1994, to provide adequate time for operators of catcher or processor vessels to comply with these new requirements. Reasons for these actions are set forth in the Federal Register as referenced above.

On January 28, 1994, NMFS published in the Federal Register a final rule implementing Amendment 24 to the FMP (59 FR 4009). These regulations: (1) Allocate the 1994 Pacific cod TAC among vessels using

trawl, hook-and-line or pot gear, and jig gear, and (2) seasonally apportion the amount of the Pacific cod TAC allocated to vessels using hook-and-line or pot gear. The 1994 observer coverage requirements implemented for vessels participating in a directed fishery for groundfish in statistical area 517 during the period of time that a directed fishery for Pacific cod is open must be modified to reflect gear specific allocations of BSAI Pacific cod implemented under Amendment 24.

NMFS modifies 1994 observer coverage requirements for vessels fishing for groundfish in statistical area 517 so that a vessel equal to or greater than 60 feet (18.3 m) LOA and less than 125 feet (38.1 m) LOA using trawl, hook-and-line or pot, or jig gear must have a NMFS-certified observer on board the vessel each day that it is used to participate in a directed fishery for groundfish in statistical area 517 during the period that a directed fishery for Pacific cod is open to vessels using that respective gear type.

Classification

This action is taken under 50 CFR 675.25. Because this action is required to provide relief to vessel owners who otherwise would be required to obtain expanded observer coverage, it is unnecessary and not in the public interest to provide prior public comment under 5 U.S.C. 553(b)(3). Also, because this action temporarily relieves a restriction, it is being made effective immediately without a 30-day delay in effectiveness under 5 U.S.C. 553(d)(1).

List of Subjects in 50 CFR Part 675

Fisheries, Reporting and recordkeeping requirements.

Dated: March 29, 1994.

David S. Crestin,
Acting Director, Office of Fisheries Conservation and Management,
National Marine Fisheries Service.

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