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long., to point B at 26°11.4'N, lat., 92°53.0'W, long. (See Appendix A of this part, Figure 4.)

(b) *Adjustment of dates.* In accordance with the procedures and restrictions of the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico, the Regional Director may adjust the closing and/or opening date to provide an earlier, later, shorter, or longer closure, but the duration of the closure may not exceed 90 days or be less than 45 days. Notice of an adjustment of the closing or opening date will be published in the Federal Register.

#### § 658.27 Prevention of gear conflicts.

(a) No person may knowingly place in the Gulf of Mexico EEZ any article, including fishing gear, that interferes with fishing or obstructs or damages fishing gear or the fishing vessel of another; or knowingly use fishing gear in such a fashion that it obstructs or damages the fishing gear or fishing vessel of another.

(b) In accordance with the procedures and restrictions of the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico, the Regional Director may modify or establish separation zones for shrimp trawling and the use of fixed gear as may be necessary and appropriate to prevent gear conflicts. Necessary prohibitions or restrictions will be published in the Federal Register.

#### § 658.28 Specifically authorized activities.

The Regional Director may authorize, for the acquisition of information and data, activities otherwise prohibited by the regulations in this part.

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### 50 CFR Part 677

(Docket No. 940839-4239; I.D. 081204A)

#### North Pacific Fisheries Research Plan

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

ACTION: Proposed specifications for 1995; request for comments.

SUMMARY: NMFS proposes North Pacific Fisheries Research Plan (Research Plan) specifications for calendar year 1995. The specifications would be used to calculate fees to be paid by participants in the Gulf of Alaska (GOA) groundfish

fishery, Bering Sea and Aleutian Islands (BSAI) management area groundfish fishery, BSAI area king and Tanner crab fisheries, and Pacific halibut fishery in convention waters off Alaska (Research Plan fisheries) to fund an observer program to promote management, conservation, and scientific understanding of groundfish, halibut, and crab resources off Alaska.

DATES: Comments must be received by October 12, 1994.

ADDRESSES: Comments should be sent to, and additional information can be obtained from, Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668 (Attn: Lori Gravel).

FOR FURTHER INFORMATION CONTACT: Kim S. Rivera, 907-586-7228.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 313 of the Magnuson Act, as amended by section 404 of the High Seas Driftnet Fisheries Enforcement Act, Public Law 102-582, authorizes the North Pacific Fishery Management Council (Council) to prepare, in consultation with the Secretary of Commerce (Secretary), a Research Plan for all fisheries under the Council's jurisdiction, except salmon fisheries. On September 6, 1994, NMFS published a final rule at 59 FR 46126 to implement the Research Plan. This rule requires that observers be stationed on certain fishing vessels and at U.S. fish processors participating in Research Plan fisheries, including extending these requirements to the halibut fishery off Alaska. Observers will be deployed for the purpose of collecting data necessary for the conservation, management, and scientific understanding of fisheries under the Council's authority. The Research Plan also establishes a system of fees to pay for the costs of implementing the Research Plan, beginning January 1, 1995. The fees are based on the exvessel value of retained catch from Research Plan fisheries. Additional background and rationale for measures implemented under the Research Plan are contained in the preamble of the proposed rule published May 6, 1994, and the final rule, and are not repeated here.

NMFS is publishing these proposed specifications prior to the effective date of the final rule implementing the Research Plan. This is necessary because of the requirement for public comment on proposed specifications for

the fee collection program, and because the specifications must be in place before the calendar year for which they apply. It also allows affected members of the industry to be notified and for the fee collection systems to be put in place.

#### Annual Research Plan Specifications

Section 677.11 of the Research Plan regulations requires NMFS, after consulting with the Council, and in the case of observer coverage levels in the crab fisheries, the State of Alaska, to publish certain proposed specifications for the upcoming calendar year in the Federal Register and to invite public comments. These proposed specifications include standard exvessel prices, total exvessel value, fee percentage, levels of observer coverage for Research Plan fisheries, and embarkment/disembarkment ports for observers.

NMFS prepared a report, "Establishing the Fee Percentage and Standard Ex-vessel Prices for 1995," for the Council's consideration at its June 1994 meeting. The report contains details of the derivation of these proposed specifications, including sources of information and assumptions that are not repeated here. In response to comments received from the Council and its advisory committees, the report was subsequently revised to provide a greater breakdown of exvessel prices and to reflect a revised first-year program. Copies of the revised report are available (see ADDRESSES).

Proposed specifications for calendar year 1995 are as follows:

1. *Standard exvessel prices.* Standard exvessel prices are used to determine the annual fee percentage for the calendar year and are the basis for calculating bimonthly fee assessments. Standard exvessel prices for species harvested in Research Plan fisheries are based on:

a. Exvessel price information by applicable season, area, gear, and processing sector for the most recent 12-month period for which data are available;

b. Factors that are expected to change exvessel prices in the upcoming calendar year; and

c. Any other relevant information that may affect expected exvessel prices during the calendar year.

For 1995, proposed standard exvessel prices of species from Research Plan fisheries, based on best available information, are as follows:

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Species	Price per pound, round weight <sup>1</sup> (\$/lb)
Halibut	1.50
Tanner Crab:	
<i>C. bairdi</i>	1.80
<i>C. opilio</i>	1.30
King Crab:	
Bristol Bay red	3.70
Adak red	4.07
Pribilof red	5.00
Norton Sound red	1.75
St. Matthew blue	3.01
Dutch Harbor brown	2.22
Adak brown	2.31

Groundfish, by area and gear	Bering Sea/Aleutians		Gulf of Alaska regulatory areas West-ern/Central/Eastern			
	Other gear	Trawl gear	Other gear	Trawl gear	Other gear	Trawl gear
Arrowtooth flounder	0.020	0.020	0.020	0.020	0.020	0.020
Atka mackerel	0.200	0.200	0.200	0.200	0.200	0.200
Deepwater flatfish			0.154	0.112	0.112	0.090
Demersal rockfish			0.292	0.249	0.473	0.249
Flatfish	0.072	0.072				
Flathead sole			0.151	0.149	0.151	0.146
Greenland turbot	0.300	0.300				
Other flatfish	0.030	0.030	0.030	0.030	0.030	0.030
Other red rockfish	0.200	0.200				
Other rockfish	0.200	0.200				
Pacific ocean perch	0.200	0.200	0.200	0.200	0.200	0.200
Pacific cod	0.200	0.149	0.208	0.167	0.317	0.166
Pelagic rockfish			0.256	0.106	0.278	0.106
Pollock (A season)	0.081	0.081	0.078	0.090	0.078	0.078
Pollock (B season)	0.070	0.070	0.078	0.078	0.078	0.078
Rock sole (with roe)	0.352	0.352				
Rock sole (w/o roe)	0.072	0.072				
Sablefish	0.875	0.545	0.958	0.545	0.952	0.601
Shallow water flatfish			0.147	0.150	0.147	0.193
Shorttailer/trougheye			0.267	0.172	0.273	0.172
Slope rockfish			0.275	0.104	0.268	0.104
Thornyhead rockfish			0.463	0.326	0.506	0.326
Yellowfin sole	0.072	0.072				

<sup>1</sup> For halibut, dressed weight is used (headed and gutted).

Note: The PacFIN data indicate that, in the BSAI, motherhips and shore-based processors paid approximately the same price for pollock during the roe season, but that motherhips paid 17.4% less than shore-based plants during the non-roe season. If a separate standard exvessel price is used for at-sea processors during the non-roe season, the proposed price is \$0.058. If a separate standard exvessel price is used for shore-based processors, the proposed price is \$0.072.

2. Total exvessel value. The total exvessel value of Research Plan fisheries is calculated as the sum of the product of the standard exvessel prices established for the calendar year and projected retained catches, by species.

For 1995, proposed total exvessel values of species from Research Plan fisheries, based on best available information, are as follows:

PROJECTED 1995 RETAINED CATCH, PRICE, AND EXVESSEL VALUE BY SPECIES

Species	Retained catch (x1,000 lbs)	Price <sup>1</sup> (\$/lb)	Exvessel value <sup>2</sup> (x\$1,000)
Halibut	44,000	1.50	66,000
Tanner Crab:			
<i>C. bairdi</i>	15,200	1.80	27,360
<i>C. opilio</i>	100,000	1.30	130,000
King Crab:			
Bristol Bay red	13,200	3.70	48,840
Adak red	1,900	4.07	4,070
Pribilof red	2,600	5.00	13,000
Norton Sound red	300	1.75	525
St. Matthew blue	2,900	3.01	8,729
Dutch Harbor brown	1,200	2.22	2,664
Adak brown	4,100	2.31	9,471

PROJECTED 1995 RETAINED CATCH, PRICE, AND EXVESSEL VALUE BY SPECIES—Continued

Species	Retained catch (x1,000 lbs)	Price <sup>1</sup> (\$/lb)	Exvessel value <sup>2</sup> (x\$1,000)
Total crab	140,500		242,559
Groundfish:			
Arrowtooth flounder	4,224	0.020	84
Atka mackerel	106,175	0.200	21,231
Deepwater flatfish	12,628	0.112	1,416
Demersal rockfish	1,620	0.407	659
Flatfish	19,037	0.072	1,370
Flathead sole	4,057	0.149	606
Greenland turbot	13,798	0.300	4,139
Other flatfish	17,855	0.030	536
Other red rockfish	3,641	0.200	728
Other rockfish	33,092	0.200	6,617
Pacific ocean perch	970	0.200	194
Pacific cod	358,081	0.176	62,842
Pelagic rockfish	5,896	0.116	686
Pollock (A season)	1,061,105	0.081	86,399
Pollock (B season)	1,719,046	0.071	121,497
Rock sole (w/o roe)	18,006	0.072	1,296
Rock sole (with roe)	28,399	0.352	9,995
Sablefish	52,243	0.914	47,747
Shallow water flatfish	13,685	0.150	2,052
Shorthead rougheye	2,815	0.199	559
Slope rockfish	13,388	0.105	1,406
Thornyhead rockfish	1,803	0.389	701
Yellowfin sole	152,489	0.072	10,977
<b>Total Groundfish</b>	<b>3,642,065</b>		<b>383,737</b>
Research Plan Fisheries Total <sup>4</sup> \$693 million			

<sup>1</sup> Exvessel prices for groundfish are weighted average prices across area and gear.  
<sup>2</sup> The product of retained catch and price does not necessarily equal the exvessel value due to rounding of retained catch and price.  
<sup>3</sup> After \$2.1 million of catch in State waters is subtracted.  
<sup>4</sup> Total does not exactly equal sum of total groundfish, halibut, and crab due to rounding.

Note: If a BSAI pollock non-roe season price of \$0.058 per pound is used for at-sea processors instead of the shore-based processor price of \$0.072, total exvessel value is reduced by about \$13 million. The use of a shore-based processor rock sole price of \$0.072 throughout the year for rock sole deliveries to shore-based processors instead of the at-sea processor price of \$0.352 during the roe rock sole fishery reduces total value by less than \$0.1 million.

3. *Research Plan fee percentage.* The Research Plan fee percentage for a calendar year must equal the lesser of 2 percent of the exvessel value of retained catch in the Research Plan fisheries or the fee percentage calculated using the following equation:

$$\text{Fee percentage} = 100 \times (\text{RRPC} - \text{FB} - \text{OF}) / \text{V} / (1 - \text{NPR})$$

where:

RRPC is the projection of recoverable Research Plan costs for the coming year;

FB is the projected end of the year balance of funds collected under the Research Plan;

OF is the projection of other funding for the coming year;

V is the projected exvessel value of retained catch in the Research Plan fisheries for the coming year; and  
 NPR is the percent (expressed as a decimal) of fee assessments that are expected to result in nonpayment.

For 1995, the best estimate of RRPC is \$15.4 million. FB will be \$0 for 1995;

because no fees will be collected in 1994, no balance of funds at the end of 1994 will be applied against program costs in 1995. OF for 1995 is projected to be \$2.6 million, consisting of \$2.1 million from NMFS and \$0.5 million from the Alaska Department of Fish and Game. V for 1995 is estimated to be \$692.7 million, as described under item 2 above. NPR is estimated at 2.5 percent. Therefore, applying the formula above, the calculated fee percentage would be:  $(100 \times (\$15.4 \text{ million} - \$0 - \$2.6 \text{ million}) / \$692.7 \text{ million}) / (1 - .025) = 1.9$  percent.

Because the calculated fee is less than the maximum assessable fee, the proposed fee percentage for 1995 is 1.9 percent.

4. *Observer coverage.* For 1995, observer coverage levels in Research Plan fisheries are unchanged from 1994 and are set out at § 677.10(a).

5. *Embarkment/disembarkment ports.* For 1995, observer contractors and vessels required to have observer

coverage arrange for observer embarkment and disembarkment. NMFS is not involved in this arrangement. Therefore, specification of embarkment/disembarkment ports for 1995 is not necessary.

**Final Research Plan Specifications**

NMFS will consider comments received on these proposed specifications and, after consulting with the Council, will publish final specifications in the Federal Register.

**Classification**

This action is proposed to be taken under the authority of 50 CFR 677.11, as published at 59 FR 46126, September 6, 1994, and is exempt from review under E.O. 12866.

Dated: September 6, 1994.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

[FR Doc. 94-22478 Filed 9-10-94; 8:45 am] BILLING CODE 3510-22-P