

Interior delay final decision on the proposal for 6 months to provide the State an opportunity to take conservation measures for the salamander that would make federal listing unnecessary. The Texas Parks and Wildlife Department (TPWD) also supported an extension, indicated that all reasonable actions in support of conserving the species had not been exhausted, and expressed reservations concerning the documentation of the range of the species and threats to it. TPWD also expressed interest in using the extension to better ascertain the status of biological issues and to pursue State and local conservation options; the Service will welcome any assistance the State of Texas might provide toward these ends. The Act pays special deference to the views of the States in the listing of species, requiring that State identification of a species as in danger of extinction be considered in listing species under the Act (section 4(b)(1)(B)(ii)), that States be notified of proposed listings (section 4(b)(5)(A)(ii)), and that States be provided specific explanations of listing decisions that are counter to State recommendations (section 4(i)). The Service intends to further consider the possible relevance of State conservation efforts to the final listing decision.

The Endangered Species Act allows extension of the normal 1-year deadline for taking final actions on a proposal to list species for up to 6 months when there is a "substantial disagreement regarding the sufficiency or accuracy of the available data relevant to the determination." The Service believes that the several unresolved issues enumerated above are directly relevant to the sufficiency and accuracy of the available data upon which a listing decision may be made and consequently is extending the deadline for a decision.

In order to allow full public comment on these issues as well as the proposed listing itself, the Service is reopening the comment period until May 17, 1995. Written comments should be submitted to the Service office in the Addresses section above. Comments submitted during previous comment periods will be considered and need not be resubmitted.

#### Author

The primary author of this notice is Sam D. Hamilton, Texas State Administrator, 10711 Burnet Road, Suite 301, Austin, Texas 78758.

#### Authority

The Authority for this action is the Endangered Species Act (16 U.S.C. 1531 *et seq.*).

Dated: March 6, 1995.  
(Notice: Extension of comment period on proposal to list Barton Springs salamander).  
**Mollie H. Beattie**,  
*Director, Fish and Wildlife Service.*  
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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 672 and 675

[Docket No. 950301062-5062-01; I.D. 021695C]

RIN 0648-AH40

#### Groundfish of the Gulf of Alaska; Groundfish Fishery of the Bering Sea and Aleutian Islands Area; Revise Product Recovery Rate for Pollock

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes regulations to revise the standard product recovery rate for pollock, deep skin fillets, and product code 24. The proposed revision is necessary to respond to new information on the current recovery rate achieved by the groundfish processing industry for this product type. This action is intended to further the objectives of the fishery management plans (FMPs) for the groundfish fisheries off Alaska.

**DATES:** Comments must be received at the following address by April 10, 1995.

**ADDRESSES:** Comments must be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori Gravel. Individual copies of the environmental assessment/regulatory impact review prepared for rulemaking establishing standard product recovery rates may be obtained from the same address.

**FOR FURTHER INFORMATION CONTACT:** Ronald J. Berg, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** The domestic groundfish fisheries in the exclusive economic zone of the Gulf of Alaska (GOA) and the Bering Sea and Aleutian Islands management area (BSAI) are managed by NMFS in accordance with the FMP for Groundfish of the Gulf of Alaska and the FMP for the Groundfish Fishery of the Bering Sea and Aleutian Islands. The

FMPs were prepared by the North Pacific Fishery Management Council under the Magnuson Fishery Conservation and Management Act and are implemented by regulations that appear at 50 CFR parts 672, 675, and 676. General regulations that also govern the groundfish fisheries appear at 50 CFR part 620.

Regulations at §§ 672.20(j) and 675.20(k) establish standard product types and standard product recovery rates (PRR). This rule proposes to revise the pollock deep skin fillet PRR from the current standard of 0.13 to 0.16. It is based on results of 49 recovery tests conducted by NMFS-certified observers during the 1994 fishing year.

This test method calculated the ratio of the product weight of deep skin fillets to the round weight of a basket sample of pollock that had been weighed before processing. The tests used an aggregate of 315 metric tons (mt) of pollock deep skin fillets produced from 1,936 mt of round-weight pollock, yielding an average recovery rate of 0.16, with a range of 0.09 to 0.22. On average, NMFS has determined that a recovery rate of 0.13 is inaccurate and that a recovery rate of 0.16 best represents that achieved by the industry. The proposed revision is within the scope of issues addressed in the final rulemaking for standard product recovery rates set forth at §§ 672.20(j) and 675.20(k) as published in the **Federal Register** (59 FR 50699, October 5, 1994).

NMFS uses standard PRRs for each groundfish product to calculate fee assessments for purposes of funding the North Pacific Fisheries Research Plan (Research Plan), which is a program designed to pay for certified observers who collect information used for fishery conservation and management purposes. NMFS uses the best available information for specifying standard PRRs to calculate round weight equivalents for purposes of determining exvessel values of retained groundfish to assess Research Plan fees.

If the standard PRR of 0.13 were to remain unchanged, the impact on the Research Plan fee assessment program could have the following economic impacts. In 1994, 23,302 mt of pollock deep skin fillets were produced off Alaska. The round-weight equivalents of this amount are 179,246 mt and 145,638 mt, using a PRR of 0.13 and 0.16, respectively, which is a difference of 33,608 mt. Under the Research Plan, processors must pay a fee in an amount not to exceed 2 percent of the exvessel value of the round-weight equivalents of retained fish, including pollock, as defined in the final rule implementing the Research Plan (59 FR 46126,

September 6, 1994). At \$0.08 per lb, 33,608 mt (74 million lbs) would have a calculated exvessel value of \$5.9 million. Processors would be charged unnecessarily an additional fee assessment of \$118,400 if the PRR were to remain at 0.13 compared to 0.16. Other uses by NMFS of standard PRRs are summarized in final rulemaking (59 FR 50699, October 5, 1994).

Based on the above reasons, NMFS has preliminarily determined that a standard PRR of 0.16 best represents the average recovery rate currently achieved by vessels producing pollock deep skin fillets. NMFS proposes this standard PRR for public comment. Should a final rule be promulgated to implement this new standard PRR, §§ 672.20(i)(3) and 675.20(j)(3) also would be revised by changing the standard PRR for pollock deep skin fillets from 0.13 to 0.16 for purposes of calculating retainable amounts of pollock roe.

**Classification**

The Assistant General Counsel of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities.

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

**List of Subjects in 50 CFR Parts 672 and 675**

Fisheries, Reporting and recordkeeping requirements.

Dated: March 6, 1995.

**Gary Matlock,**

*Program Management Officer, National Marine Fisheries Service.*

For the reasons set out in the preamble, 50 CFR parts 672 and 675 are proposed to be amended as follows:

**PART 672—GROUND FISH FISHERY OF THE GULF OF ALASKA**

1. The authority citation for part 672 continues to read as follows:

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

2. In § 672.20, paragraph (i)(3) table, entry 24 is revised, and in Table 1 to § 672.20 Product Codes 15 through 32 are amended by revising the entry for pollock to read as follows:

**§ 672.20 General limitations.**

- \* \* \* \* \*
- (i) \* \* \*
- (3) \* \* \*

Product code	Product description	Standard product recovery rate
24	Deep skin fillets	0.16

TABLE 1 TO § 672.20 (CONTINUED).—TARGET SPECIES CATEGORIES, PRODUCT CODES AND DESCRIPTIONS, AND STANDARD PRODUCT RECOVERY RATES FOR GROUND FISH SPECIES REFERENCED IN 50 CFR 672.20(a)(1) AND/OR 675.20(a)(1)

FMP species	Species code	Product Code												
		Pectoral girdle	Heads	Cheeks	Chins	Belly	Fillets: With skin and ribs	Fillets: Skin on no ribs	Fillets: With ribs no skin	Filletts: Skinless/boneless	Filletts: Deep skin	Surimi	Mince	Meal
		15	16	17	18	19	20	21	22	23	24	30	31	32
Pollock	270	0.15					0.35	0.30	0.30	0.21	0.16	<sup>1</sup> 0.16 <sup>2</sup> 0.17	0.22	0.17

<sup>1</sup> Standard pollock surimi rate during January through June.  
<sup>2</sup> Standard pollock surimi rate during July through September.

**PART 675—GROUND FISH FISHERY OF THE BERING SEA AND ALEUTIAN ISLANDS AREA**

3. The authority citation for part 675 continues to read as follows:

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

4. In § 675.20, paragraph (j)(3), Table, entry 24 is revised to read as follows:

**§ 675.20 General limitations.**

- (j) \* \* \*
- (3) \* \* \*

Product code	Product description	Standard product recovery rate
24	Deep skin fillets	0.16

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