

DATES: Effective at 2400 hours local time, July 25, 1995. Comments will be accepted through August 31, 1995.

ADDRESSES: Comments may be mailed to William Stelle, Jr., Director, Northwest Region, National Marine Fisheries Service, NOAA, 7600 Sand Point Way NE., BIN C15700-Bldg. 1, Seattle, WA 98115-0070. Information relevant to this action has been compiled in aggregate form and is available for public review during business hours at the office of the Regional Director.

FOR FURTHER INFORMATION CONTACT: William L. Robinson, 206-526-6140.

SUPPLEMENTARY INFORMATION:

Regulations governing the ocean salmon fisheries at 50 CFR 661.21(a)(1) state that, when a quota for the commercial or the recreational fishery, or both, for any salmon species in any portion of the fishery management area is projected by the Regional Director to be reached on or by a certain date, the Secretary of Commerce will, by notice issued under § 661.23, close the commercial or recreational fishery, or both, for all salmon species in the portion of the fishery management area to which the quota applies as of the date the quota is projected to be reached.

In the annual management measures for ocean salmon fisheries (60 FR 21746, May 3, 1995), NMFS announced that the 1995 commercial fishery in the area between Sisters Rocks and Mack Arch, OR would open on July 24 and continue through August 31 or attainment of the 1,200 chinook salmon quota, whichever occurred first. This fishery was scheduled to open for 2-day periods only.

The best available information on July 26 indicated that commercial catches in the area totaled over 1,700 chinook salmon during the first open period on July 24-25. Due to attainment of the quota, NMFS determined to close the fishery for the remainder of the season and, thus, not reopen the fishery on July 28, the next scheduled opening.

The Regional Director consulted with representatives of the Pacific Fishery Management Council and the Oregon Department of Fish and Wildlife regarding this closure. The State of Oregon will manage the commercial fishery in State waters adjacent to this area of the exclusive economic zone in accordance with this Federal action. In accordance with the inseason notice procedures of 50 CFR 661.23, actual notice to fishermen of this action was given prior to 0001 hours local time, July 28, 1995, the next scheduled opening, by telephone hotline number (206) 526-6667 and (800) 662-9825 and by U.S. Coast Guard Notice to Mariners

broadcasts on Channel 16 VHF-FM and 2182 KHz. Because of the need for immediate action to conserve chinook salmon, NMFS has determined that good cause exists for this action to be issued without affording a prior opportunity for public comment. This action does not apply to other fisheries that may be operating in other areas.

Classification

This action is authorized by 50 CFR 661.21 and 661.23 and is exempt from review under E.O. 12866.

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

Dated: August 9, 1995.

Richard W. Surdi,

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

[FR Doc. 95-20177 Filed 8-15-95; 8:45 am]

BILLING CODE 3510-22-F

50 CFR Part 677

[Docket No. 950615155-5200-02; I.D. 060695A]

RIN 0648-AI01

North Pacific Fisheries Research Plan; Crab Vessel Fee Exemption

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

ACTION: Final rule.

SUMMARY: NMFS issues a final rule to exempt certain crab catcher vessels from the 1995 fee-collection program authorized pursuant to the North Pacific Fisheries Research Plan (Research Plan). This exemption responds to a request from the State of Alaska to conform the Research Plan to a recent change in its crab observer coverage requirements for catcher vessels participating in the Dutch Harbor and Adak area king crab fisheries, and will avoid a "double payment" by the affected vessels of both Research Plan fees and costs of the State required observer coverage. This final rule is consistent with the intent of the final rule implementing the Research Plan and is intended to facilitate Federal/State cooperative implementation of the crab and groundfish observer programs during the first year of the fee-collection program authorized under the Research Plan.

EFFECTIVE DATE: September 1, 1995.

ADDRESSES: Copies of the Research Plan and the Environmental Assessment/Regulatory Impact Review prepared for the Research Plan may be obtained from

the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510.

FOR FURTHER INFORMATION CONTACT: Susan Salveson, 907-586-7228.

SUPPLEMENTARY INFORMATION:

Regulations implementing the Research Plan became effective October 6, 1994 (59 FR 46126, September 6, 1994). The purpose for, and description of, the Research Plan are contained in the preamble to the final rule (59 FR 46126, September 6, 1994).

At its April 1995 meeting, the North Pacific Fishery Management Council (Council) requested that NMFS initiate rulemaking to revise 1995 crab observer coverage requirements set out under regulations implementing the Research Plan. The Council also requested NMFS to exempt catcher vessels participating in the Adak and Dutch Harbor king crab fisheries from the 1995 Research Plan fees.

A proposed rule to implement the Council's request was published in the **Federal Register** on June 30, 1995 (60 FR 34228). Comments on the proposed rule were invited through July 12, 1995. No written comments were received within the comment period.

Upon reviewing the reasons for exempting certain crab catcher vessels from the 1995 fee assessments under the Research Plan, NMFS has determined that this final rule implementing the following two measures is necessary to facilitate Federal and Alaska State cooperative implementation of the crab and groundfish observer programs during the first year of the fee-collection program authorized under the Research Plan:

1. Regulations at § 677.10(a)(3) are revised to accommodate a new State of Alaska requirement that catcher vessels participating in the Adak or Dutch Harbor king crab fisheries carry an observer; and

2. Regulations at § 677.6(b)(1)(iii)(A) are revised to extend current exemption provisions from the 1995 fee to crab catcher vessels participating in the Adak and Dutch Harbor king crab fisheries.

Further explanation of, and reasons for, these measures are contained in the preamble to the proposed rule (60 FR 34228, June 30, 1995).

Classification

The Assistant General Counsel for Legislation and Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this action would not have a significant economic impact on a substantial number of small entities. The reasons

were published in the **Federal Register** on June 30, 1995 (60 FR 34228). As a result, a regulatory flexibility analysis was not prepared.

This action relieves a restriction on crab vessels participating in the Adak and Dutch Harbor crab fisheries, which open September 1, 1995, and responds to a request from the State of Alaska. Because the rule relieves a restriction, under U.S.C. 553(d)(1), this final rule is made effective September 1, 1995.

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

List of Subjects in 50 CFR Part 677

Fisheries, Reporting and recordkeeping requirements.

Dated: August 9, 1995.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 677 is amended as follows:

PART 677—NORTH PACIFIC FISHERIES RESEARCH PLAN

1. The authority citation for part 677 continues to read as follows:

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

2. In § 677.6, paragraph (b)(1)(iii)(A) is revised to read as follows:

§ 677.6 Research Plan fee.

* * * * *

(b) * * *

(1) * * *

(iii) * * *

(A) The round weight or round-weight equivalent of retained catch of red king crab or brown king crab harvested from ADF&G's statistical area R (Adak), defined at 5 AAC 34.700, brown king crab harvested from ADF&G's statistical area O (Dutch Harbor), defined at 5 AAC 34.600, *Chionoecetes tanneri* Tanner crab, *C. angulatus* Tanner crab, and *Lithodes cousei* king crab determined by the best available information received by the Regional Director since the last bimonthly billing period, multiplied by

the standard exvessel price established pursuant to § 677.11 for the calendar year, multiplied by one-half the fee percentage established pursuant to § 677.11 for the calendar year; plus

* * * * *

3. In § 677.10, paragraph (a)(3) is revised to read as follows:

§ 677.10 General requirements.

(a) * * *

(3) *Requirements for vessel operators of Bering Sea and Aleutian Islands area king and Tanner crab.* An operator of a vessel that harvests or processes king or Tanner crab must have one or more State of Alaska-certified observers on board the vessel whenever king or Tanner crab are received, processed, or onboard the vessel in the Bering Sea and Aleutian Islands area if the operator is required to do so by Alaska State regulations at 5 AAC 34.035, 34.082, 35.082, or 39.645.

* * * * *

[FR Doc. 95-20257 Filed 8-15-95; 8:45 am]

BILLING CODE 3510-22-F