

to the closure or would have occurred without the closure is difficult. Given the high bycatch rates within the CSSA, closing this area likely had the desired effect of reducing overall "other" salmon bycatch.

This proposed rule is intended to prevent a recurrence of the high 1993 chum salmon bycatch experienced during the BSAI pollock nonroe season. The bycatch of "other" salmon appears to be a function of the time of year, distribution of fishing effort, and spatial distribution of salmon. Historical data indicate that "other" salmon bycatch is reduced generally during the winter months and elevated during the months of July through October. Approximately 67 percent of all "other" salmon bycatch in observed hauls during 1991 was taken during August, and 40 percent and 62 percent of the 1992 and 1993 "other" salmon bycatch, respectively, was taken during the month of September. Starting in 1993, the opening of the pollock nonroe season was delayed from June 1 until August 15 (58 FR 30997, May 28, 1993). This delay was implemented to achieve increased revenues from the harvest of BSAI pollock during the nonroe season and to provide participants in the pollock nonroe fishery increased opportunities to fish in other groundfish fisheries.

Although the delay of the pollock nonroe season until August 15 was expected to increase chum salmon bycatch, the magnitude of the 1993 bycatch amount was not anticipated. Spatially, the number of "other" salmon appears to be highest south of 57° N. lat. and east of 168° W. long. Consistent with historical data, about 80 percent of the 1993 BSAI "other" salmon bycatch was taken in the CVOA.

Increased Observer Coverage and Electronic Transmission of Observer Data

NMFS must rely on data collected by NMFS-certified observers to manage the "other" salmon bycatch limit of 42,000 fish. Currently, one observer is required on each mothership processor vessel participating in either the inshore or offshore component pollock fishery and at most shoreside processing plants receiving pollock. Regulations at § 675.20(c)(6) require that all salmon taken in BSAI trawl operations be retained until the number of salmon is determined by a NMFS-certified observer. NMFS intends to use these observed counts to monitor the "other" salmon bycatch limit. To monitor the chum salmon bycatch limit effectively and close the CSSA once the 42,000 fish bycatch limit has been reached, NMFS

must receive daily electronic reports of salmon bycatch numbers. NMFS typically receives weekly reports on groundfish catch and on prohibited species bycatch to monitor the fisheries.

The time required to process these reports results in a delay between the receipt of reports and determination of overall catch statistics that provide the basis for determining whether a closure is required. If the "other" salmon bycatch were to proceed at the 1993 or 1994 rates, weekly reporting would not be sufficient to allow timely closure of the CSSA once the 42,000 "other" salmon limit had been reached, thus contributing to higher than necessary salmon bycatch during the pollock nonroe season.

Effective monitoring of the bycatch limit requires a second observer on each mothership processor vessel and at some shoreside processing plants that receive fish from catcher boats fishing in the CVOA during the pollock nonroe season. This requirement is necessary to ensure accurate and timely counts of salmon bycatch, without compromising the other groundfish sampling duties of the observer. The time required by observers to count salmon bycatch for each haul and transmit these data on a daily basis, places an extra burden on observers. Because large numbers of hauls are delivered to mothership processor vessels compared to some other processors a greater burden would be placed on a single observer to obtain the necessary salmon counts and transmit that information on a daily basis. Those shoreside processors that offload fish at more than one location on the same dock and have distinct and separate equipment at each location to process those fish would also be required to have an extra observer to monitor the large number of deliveries.

Salmon counts, to be attributed to the bycatch limit, would begin on August 15. NMFS would require the additional observers to be aboard the mothership processor vessels and at the shoreside processing plants from August 15, the start of the pollock nonroe season, until the bycatch limit of 42,000 fish has been reached. These vessels and shoreside plants would be directly responsible for observer coverage costs in 1995 and would not receive credit for these costs, under § 677.6(d), against 1995 Research Plan fee assessments authorized under § 677.6(b). Subsequent assignment of observer coverage for 1996 and beyond would be annually specified under the Research Plan (§ 677.11).

To enable the observers to report haul-by-haul statistics and salmon bycatch numbers on a daily basis, the operator of each mothership processor

vessel that receives fish harvested in the CVOA must provide specific communication equipment.

The specific equipment listed below is similar to the requirements for the emergency rule that also imposed restrictions on "other" salmon bycatch during the pollock nonroe season of 1994. The processors affected by this rule should already have this communication equipment, except that some computers may need to be upgraded. Significant additional costs would not be incurred. This specific equipment is necessary to ensure compatibility with the software developed by the NMFS Observer Program Office. Equipment that differs from these specifications would not operate the data-entry software that allows electronic data transmission. Not all computer hardware and software and satellite systems are compatible and it would be economically and practically inefficient to set up multiple systems to transmit and collect the same information. These equipment requirements are consistent with the applicable specifications for vessel monitoring systems published in the **Federal Register** on March 31, 1994 (59 FR 15180).

Mothership processor vessels would be required to have INMARSAT Standard A satellite communication capabilities and associated software (cc:Mail remote and a data entry program provided by the Regional Director) for observer's use. Each mothership processor vessel must also have the following equipment or equipment compatible therewith and having the ability to operate the NMFS-supplied data entry software program: a personal computer (PC) with a 486 or better processing chip, a DOS version 3.0 or better operating system, and 10 megabytes of free hard disk storage, and eight megabytes of random access memory (RAM) available to support the program used by the observer. Each shoreside facility that receives pollock harvested in the CVOA during the pollock nonroe season and that is required to have 100-percent-observer-coverage under 50 CFR 677.10, must have the capability to transmit data over telephone lines using a computer modem. These processors would make available to observers the following equipment or equipment compatible therewith: a PC with a 486 or better processing chip, with at least a 9600 baud modem, and a phone line. The PC must be equipped with a mouse, Windows version 3.1, or a program having the ability to operate the NMFS-supplied data entry software program, and have at least 10 megabytes of free