

Bay of Fundy stock of harbor porpoise, the WNA stock of harbor seals, the WNA stock of harp seals, the WNA stocks of long-finned and short-finned pilot whales, the WNA stock of white-sided dolphin, and the WNA stock of common dolphin. There are approximately 655 participants in this fishery. The following tier analysis supports elevation of this fishery to Category I.

Tier 1 Evaluation: NMFS' observer program has documented incidental mortality and serious injury of the WNA coastal stock of bottlenose dolphins in the Mid-Atlantic coastal gillnet fishery. For management purposes, coastal bottlenose dolphins have been assigned to seven management units based on the results of genetic, stable isotope ratio, photo-identification, and telemetry studies. Incidental mortality and serious injury of the WNA coastal stock of bottlenose dolphins across all fisheries exceeds 10 percent of the PBR level for this stock of bottlenose dolphins. Therefore, this fishery is subject to Tier 2 analysis.

Tier 2 Evaluation: Annual incidental mortality and serious injury in the Mid-Atlantic coastal gillnet fishery has been estimated from observer coverage. The Mid-Atlantic coastal gillnet fishery causes an estimated incidental mortality and serious injury of 233 WNA coastal

bottlenose dolphins per year, which exceeds the PBR (171 animals per year) for this stock. Because the annual incidental mortality and serious injury in the Mid-Atlantic coastal gillnet fishery exceeds 50 percent of the PBR for this stock, the fishery qualifies for reclassification as a Category I fishery.

Addition of Fisheries to the LOF

See discussion of U.S. Atlantic Trap/Pot Mixed Species Fishery.

Removals of Fisheries from the LOF

No changes proposed.

Fishery Name and Organizational Changes

No changes proposed.

List of Species that are Incidentally Injured or Killed

No changes proposed.

List of Fisheries

The following two tables list U.S. commercial fisheries according to their assigned categories under section 118 of the MMPA. The estimated number of vessels/participants is expressed in terms of the number of active participants in the fishery, when possible. If this information is not available, the estimated number of vessels or persons licensed for a

particular fishery is provided. If no recent information is available on the number of participants in a fishery, the number from the 1996 LOF is used.

The tables also list the marine mammal species and stocks that are incidentally killed or injured in each fishery based on observer data, logbook data, stranding reports, and fisher reports. This list includes all species or stocks known to experience injury or mortality in a given fishery, but also includes species or stocks for which there are anecdotal or historical, but not necessarily current, records of interaction. Additionally, species identified by logbook entries may not be verified. Therefore, not all species or stocks identified are the reason for a fishery's placement in a given category. There are a few fisheries that are in Category II that have no recently documented interactions with marine mammals. Justifications for placement of these fisheries are by analogy to other gear types that are known to cause mortality or serious injury of marine mammals, as discussed in the final LOF for 1996 (60 FR 67063, December 28, 1995).

Table 1 lists commercial fisheries in the Pacific Ocean (including Alaska); Table 2 lists commercial fisheries in the Atlantic Ocean, Gulf of Mexico, and Caribbean.

TABLE 1—LIST OF FISHERIES COMMERCIAL FISHERIES IN THE PACIFIC OCEAN

Fishery Description	Estimated no. of vessels/ persons	Marine mammal species and stocks incidentally killed/injured
Category I		
GILLNET FISHERIES: CA angel shark/halibut and other species (>3.5 in mesh) set gillnet	58	Harbor porpoise, central CA Common dolphin, short-beaked, CA/OR/WA Common dolphin, long-beaked CA California sea lion, U.S. Harbor seal, CA Northern elephant seal, CA breeding Sea otter, CA
Category II		
GILLNET FISHERIES: AK Bristol Bay salmon drift gillnet	1,903	Steller sea lion, Western U.S. Northern fur seal, Eastern Pacific Harbor seal, Bering Sea Beluga whale, Bristol Bay Gray whale, Eastern North Pacific Spotted seal, AK Pacific white-sided dolphin, North Pacific
AK Bristol Bay salmon set gillnet	1,014	Harbor seal, Bering Sea Beluga whale, Bristol Bay Gray whale, Eastern North Pacific Northern fur seal, Eastern Pacific Spotted seal, AK
AK Kodiak salmon set gillnet	188	Harbor seal, GOA Harbor porpoise, GOA Sea otter, AK
AK Metlakatla/Annette Island salmon drift gillnet	60	None documented