

not been fully implemented at all of the thirteen designated ports authorized by the Service for the importation and exportation of wildlife and wildlife products. Because the system is not fully implemented, the Service will continue to require the filing of a Declaration Form 3-177 at the time Service clearance is requested and will not allow the filing of an electronic Declaration Form 3-177 by itself. This correction is being made to § 14.61 of the final regulations to provide clarification and to avoid unnecessary delay in clearance of wildlife shipments.

Correction of Publication

Accordingly, the publication on June 21, 1996, of the final regulations of 50 CFR parts 13 and 14 which were the subject of FR Doc. 96-15388, is corrected by revising § 14.61 starting on page 31870, column 1, line 16, to read as follows:

§ 14.61 Import declaration requirements.

Except as otherwise provided by the regulations of this subpart, importers or their agents must file with the Service a completed Declaration for Importation or Exportation of Fish or Wildlife (Form 3-177), signed by the importer or the importer's agent, upon the importation of any wildlife at the place where Service clearance under § 14.52 is requested. However, wildlife may be transshipped under bond to a different port for release from custody by Customs Service officers under 19 U.S.C. 1499. For certain antique articles as specified in § 14.22, importers or their agents must file a Form 3-177 with the District Director of Customs at the port of entry prior to release from Customs custody. Importers or their agents must furnish all applicable information requested on the Form 3-177 and the importer, or the importer's agent, must certify that the information furnished is true and complete to the best of his/her knowledge and belief.

Dated: September 26, 1996.

George T. Frampton, Jr.,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 96-24442 Filed 9-23-96; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 960531152-6254-02; I.D. 081596A]

RIN 0648-A118

Fisheries of the Exclusive Economic Zone Off Alaska; Technical Amendment; Correction and Clarification

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

ACTION: Final rule; technical amendment.

SUMMARY: NMFS is correcting several sections of regulations that contain minor errors as a result of NMFS' consolidation of all Alaska regulations into one CFR part in response to the President's Regulatory Reform Initiative. This final rule does not make substantive changes to the existing regulations; rather, it corrects changes to text that were inadvertently made through reorganization of management measures for use in the groundfish fisheries of the Gulf of Alaska (GOA) and the Bering Sea and Aleutian Islands management area (BSAI). NMFS is also correcting several errors in cross-references in the definitions section that occurred when NMFS issued the final rule to implement Amendment 1 to the Fishery Management Plan for Scallop off Alaska.

EFFECTIVE DATE: September 24, 1996.

ADDRESSES: Copies of this final rule for this action may be obtained from: Fisheries Management Division, Alaska Region, NMFS, 709 W. 9th Street, Room 453, Juneau, AK 99801, or P.O. Box 21668, Juneau, AK 99802, ATTN: Lori J. Gravel.

FOR FURTHER INFORMATION CONTACT: Patsy A. Bearden, NMFS, 907-586-7228.

SUPPLEMENTARY INFORMATION:

Background

NMFS manages the following fisheries in the exclusive economic zone (EEZ) off Alaska: Groundfish fisheries in the GOA EEZ under the Fishery Management Plan for Groundfish of the Gulf of Alaska; groundfish fisheries in the BSAI EEZ under the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area; commercial harvest of BSAI king and Tanner crabs under the

Fishery Management Plan for the Commercial King and Tanner Crab Fisheries in the Bering Sea and Aleutian Islands; and the commercial harvest of scallops under the Fishery Management Plan for the Scallop Fishery off Alaska. These fishery management plans (FMPs) are implemented by regulations at 50 CFR part 679. General regulations that also pertain to these fisheries appear in subpart H of 50 CFR part 600. The FMPs were prepared by the North Pacific Fishery Management Council under the authority of the Magnuson Fishery Conservation and Management Act.

As part of the President's Regulatory Reform Initiative, NMFS issued a final rule (61 FR 31228, June 19, 1996) removing parts 671, 672, 673, 675, 676, and 677 of title 50 CFR, and consolidating the regulations contained therein into one new part (50 CFR part 679). No substantive changes were made to the regulations by the consolidation of the six parts. However, due to the complexity of the reorganization, some errors were introduced into the regulatory text. This rule corrects those errors. It makes no substantive changes.

On July 23, 1996, NMFS published a final rule (61 FR 38099) implementing Amendment 1 to the scallop FMP. Under the definition of "Authorized fishing gear," definitions of "Dive" and "Scallop dredge" were added and related paragraphs redesignated. However, the cross-references in the redesignated paragraphs were not revised to reflect the new numbering. This document corrects those errors.

This action: (1) Clarifies the recordkeeping requirements for catcher vessels under 60 ft (18.3 m) length overall by specifically exempting them from the requirement to comply with the recordkeeping and reporting requirements contained in § 679.5(a)-(k); (2) removes duplicative text regarding check-in/check-out reports; (3) corrects the time limit for check-out reports submitted by buying stations delivering to shoreside processors from 48 hours to 24 hours; (4) corrects the submittal instructions for Individual Fishing Quota (IFQ) shipment reports; (5) revises wording in general observer requirements for catcher/processors or catcher vessels to make grammatically consistent with related subordinate paragraphs; (6) corrects paragraph numbering in Research Plan observer coverage responsibilities for shoreside processors; and (7) corrects cross-references contained in the definition of "pelagic trawl" under "authorized fishing gear" in the definitions section.

Classification

Because this technical amendment makes only minor, non-substantive corrections to an existing rule, prior notice and opportunity for public comment would serve no purpose. Accordingly, the Assistant Administrator for Fisheries, under 5 U.S.C. 553(b)(B), for good cause finds that prior notice and opportunity for public comment are unnecessary. Since this rule is non-substantive, it is not subject to a delay in effective date under 5 U.S.C. 553(d).

Because this rule is being issued without prior comment, it is not subject to the Regulatory Flexibility Act requirement for a regulatory flexibility analysis and none has been prepared.

This rule makes minor technical changes to a rule that has been determined to be not significant under E.O. 12866. No changes in the regulatory impact previously reviewed and analyzed will result from implementation of this technical amendment.

List of Subjects in 50 CFR Part 679

Fisheries, Reporting and recordkeeping requirements.

Dated: September 13, 1996.

Rolland A. Schmitt, Jr.,
Assistant Administrator for Fisheries,
National Marine Fisheries Service.

For reasons set out in the preamble, 50 CFR part 679 is amended as follows:

PART 679—FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA

1. The authority citation for part 679 continues to read as follows:

Authority: 16 U.S.C. 773 *et seq.*, 1801 *et seq.*

2. In § 679.2, paragraph (9)(iii) introductory text and paragraphs (9)(iv) and (9)(v) under the definition of "Authorized fishing gear" are revised to read as follows:

§ 679.2 Definitions.

* * * * *

Authorized fishing gear * * * * *

(9) * * *

(iii) Except for the small mesh allowed under paragraph (9)(ix) of this definition:

* * * * *

(iv) Has no stretched mesh size less than 15 inches (38.1 cm) aft of the mesh described in paragraph (9)(iii) of this definition for a distance equal to or greater than one half the vessel's LOA;

(v) Contains no configuration intended to reduce the stretched mesh sizes described in paragraphs (9)(iii) and (iv) of this definition;

3. In § 679.5, paragraph (a)(1)(i), (h)(2)(i)(B), (h)(2)(ii)(D), (l)(2)(ii)(A), (l)(2)(iii)(A), and (l)(2)(iii)(C) are revised, paragraph (h)(2)(i)(C) is removed, and paragraph (a)(1)(iii) is added to read as follows:

§ 679.5 Recordkeeping and reporting.

(a) *General requirements*—(1) *Applicability, Federal fisheries permit.* Except as provided in paragraph (a)(iii) of this section, the following must comply with the recordkeeping and reporting requirements of this section:

(i) Any catcher vessel, mothership, catcher/processor, or tender vessel, 5 net tons or larger, that is required to have a Federal fisheries permit under § 679.4.

* * * * *

(iii) A catcher vessel less than 60 ft (18.3 m) LOA, is not required to comply with recordkeeping and reporting requirements contained in § 679.5(a)-(k).

* * * * *

(h) * * *

(2) * * *

(i) * * *

(B) *Mothership, shoreside processor, buying station.* Before a mothership, shoreside processor, or buying station commences receipt of groundfish from Alaska State or Federal waters of any reporting area except 300, 400, 550, or 690, the operator or manager must submit by fax a check-in report (BEGIN message) to the Regional Director.

(ii) * * *

(D) *Buying station delivering to a shoreside processor.* If a buying station delivering to a shoreside processor completes delivery of groundfish, the operator or manager of the buying station must submit by fax a check-out report to the Regional Director within 24 hours after departing a reporting area or leaving either the Alaska State or Federal part of a reporting area.

* * * * *

(2) * * *

(ii) *Submittal.* (A) A shipment report must be submitted to NMFS Alaska Enforcement Division prior to shipment or transfer, in a manner prescribed on the registered buyer permit.

* * * * *

(iii) * * *

(A) Complete a Shipment Report for each shipment or transfer from that registered buyer prior to shipment and assure that the Shipment Report is submitted to, and received by, the NMFS Alaska Enforcement Division, within 7 days of the date shipment or transfer commenced;

* * * * *

(C) Submit a revised Shipment Report if any information on the original Shipment Report changes prior to the first destination of the shipment. A revised Shipment Report must be clearly labeled "Revised Shipment Report," and must be received by the NMFS Alaska Enforcement Division, within 7 days of the change.

* * * * *

6. In § 679.51, paragraph (a)(2)(v) is revised to read as follows:

§ 679.51 General observer requirements (applicable through December 31, 1996).

(a) * * *

(2) * * *

(v) Participating for more than 3 fishing days in a directed fishery for groundfish using pot gear must carry a NMFS-certified observer during at least one fishing trip during a calendar quarter for each of the groundfish fishery categories defined under paragraph (b) of this section in which the vessel participates.

* * * * *

§ 679.52 [Amended]

7. In § 679.52, paragraph (e)(3) is redesignated as paragraph (e)(2)(iii), paragraphs (e)(3)(i)-(e)(3)(iii) are redesignated as paragraphs (e)(2)(iii)(A)-(e)(2)(iii)(C), paragraphs (e)(4)-(e)(6) are redesignated as paragraphs (e)(2)(iv)-(e)(2)(vi), and paragraphs (e)(6)(i)-(e)(6)(iii) are redesignated as paragraphs (e)(2)(vi)(A)-(e)(2)(vi)(C).

[FR Doc. 96-24077 Filed 9-24-96; 8:45 am]

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