

limit shall increase up to a maximum limit of 21 percent of the total QS in each regulatory area specified in §§ 679.41(e)(3)(i) through (e)(3)(iii) for halibut.

(6) No individual that receives IFQ derived from halibut QS held by a CQE may hold, individually or collectively, more than 50,000 lb (22.7 mt) of IFQ halibut derived from any halibut QS source.

(7) A CQE receiving category B or C halibut QS through transfer may lease the IFQ resulting from that QS only to an eligible community resident of the eligible community represented by the CQE.

(g) \* \* \*

(1) *Number of blocks per species.*

Except as provided in paragraphs (g)(1)(i) and (g)(1)(ii) of this section, no person, individually or collectively, may hold more than two blocks of each species in any IFQ regulatory area.

(i) A person, individually or collectively, who holds unblocked QS for a species in an IFQ regulatory area, may hold only one QS block for that species in that regulatory area; and

(ii) A CQE may hold no more than ten blocks of halibut QS in any IFQ regulatory area and no more than five blocks of sablefish QS in any IFQ regulatory area on behalf of any eligible community.

\* \* \* \* \*

(h) \* \* \*

(1) *Halibut.* No vessel may be used, during any fishing year, to harvest more than one-half percent of the combined total catch limits of halibut for IFQ regulatory areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E, except that:

(i) In IFQ regulatory area 2C, no vessel may be used to harvest more than 1 percent of the halibut catch limit for this area.

(ii) No vessel may be used, during any fishing year, to harvest more than 50,000 lb (22.7 mt) of IFQ halibut from any halibut QS source if that vessel is used to harvest IFQ halibut derived from halibut QS held by a CQE.

(2) *Sablefish.* No vessel may be used, during any fishing year, to harvest more than one percent of the combined fixed gear TAC of sablefish for the GOA and BSAI IFQ regulatory areas, except that:

(i) In the IFQ regulatory area east of 140 degrees W. long., no vessel may be used to harvest more than 1 percent of the fixed gear TAC of sablefish for this area.

(ii) No vessel may be used, during any fishing year, to harvest more than 50,000 lb (22.7 mt) of IFQ sablefish from any sablefish QS source if that vessel is used to harvest IFQ sablefish derived from sablefish QS held by a CQE.

(3) A person who receives an approved IFQ allocation of halibut or sablefish in excess of these limitations may nevertheless catch and retain all of that IFQ with a single vessel, except that this provision does not apply if that IFQ allocation includes IFQ derived from QS held by a CQE. However, two or more persons may not catch and retain their IFQ in excess of these limitations.

\* \* \* \* \*

(i) \* \* \*

(4) IFQ derived from QS held by a CQE must be used only by the individual whose IFQ permit account contains the resulting IFQ.

\* \* \* \* \*

■ 7. Table 21 to part 679 is added to read as follows:

TABLE 21 TO PART 679.—ELIGIBLE GOA COMMUNITIES, HALIBUT IFQ REGULATORY USE AREAS, AND COMMUNITY GOVERNING BODY THAT RECOMMENDS THE COMMUNITY QUOTA ENTITY

Eligible GOA Community	Community Governing Body that recommends the CQE
May use halibut QS only in halibut IFQ regulatory areas 2C, 3A	
Angoon .....	City of Angoon.
Coffman Cove .....	City of Coffman Cove.
Craig .....	City of Craig.
Edna Bay .....	Edna Bay Community Association.
Elfin Cove ...	Community of Elfin Cove.
Gustavus .....	Gustavus Community Association.
Hollis .....	Hollis Community Council.
Hoonah .....	City of Hoonah.
Hydaburg ....	City of Hydaburg.
Kake .....	City of Kake.
Kasaan .....	City of Kasaan.
Klawock .....	City of Klawock.
Metlakatla ...	Metlakatla Indian Village.
Meyers	
Chuck .....	N/A.
Pelican .....	City of Pelican.
Point Baker	Point Baker Community.
Port Alex- ander .....	City of Port Alexander.
Port Protec- tion .....	Port Protection Community Association.
Tenakee	
Springs ....	City of Tenakee Springs.
Thorne Bay	City of Thorne Bay.
Whale Pass	Whale Pass Community Association.
May use halibut QS only in halibut IFQ regulatory areas 3A, 3B	
Akhiok .....	City of Akhiok.
Chenega	
Bay .....	Chenega IRA Village.
Chignik .....	City of Chignik.
Chignik La- goon .....	Chignik Lagoon Village Council.

TABLE 21 TO PART 679.—ELIGIBLE GOA COMMUNITIES, HALIBUT IFQ REGULATORY USE AREAS, AND COMMUNITY GOVERNING BODY THAT RECOMMENDS THE COMMUNITY QUOTA ENTITY—Continued

Eligible GOA Community	Community Governing Body that recommends the CQE
May use halibut QS only in halibut IFQ regulatory areas 3A, 3B	
Chignik Lake	Chignik Lake Traditional Council.
Halibut Cove	N/A.
Ivanof Bay ...	Ivanof Bay Village Council.
Karluk .....	Native Village of Karluk.
King Cove ...	City of King Cove.
Larsen Bay	City of Larsen Bay.
Nanwalek ....	Nanwalek IRA Council.
Old Harbor ..	City of Old Harbor.
Ouzinkie .....	City of Ouzinkie.
Perryville ....	Native Village of Perryville.
Port Graham	Port Graham Village Council.
Port Lyons ..	City of Port Lyons.
Sand Point ..	City of Sand Point.
Seldovia .....	City of Seldovia.
Tatitlek .....	Native Village of Tatitlek.
Tyonek .....	Native Village of Tyonek.
Yakutat .....	City of Yakutat.

[FR Doc. 04-9855 Filed 4-29-04; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 040115020-4124-02; I.D. 010204B]

RIN 0648-AR07

**Fisheries of the Exclusive Economic Zone (EEZ) Off the Coast of Alaska; Recordkeeping and Reporting**

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

**ACTION:** Final rule.

**SUMMARY:** NMFS issues this final rule to revise port codes (Tables 14a and 14b) used in data collection for the Federal groundfish fisheries in the EEZ off the coast of Alaska and the Pacific halibut Individual Fishing Quota (IFQ) Program. This action removes unnecessary or potentially conflicting regulations. This action is necessary to facilitate enforcement activities and standardize the collection of port-of-landing information, and is intended to meet the conservation and management requirements of the Northern Pacific

Halibut Act of 1982 (Halibut Act) with respect to halibut and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) with respect to groundfish and to further the goals and objectives of the Alaska groundfish fishery management plans.

**DATES:** Effective June 1, 2004.

**ADDRESSES:** Copies of the Regulatory Impact Review (RIR) prepared for this final regulatory action are available by writing to Sue Salveson, NMFS, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802 1668, Attn: Lori Durall, or by calling the Alaska Region, NMFS, at (907) 586-7228.

Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this final rule may be submitted to NMFS, Alaska Region at the address above, or to the Office of Management and Budget (OMB) by e-mail [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov), or fax (202) 395-7285.

**FOR FURTHER INFORMATION CONTACT:** Patsy A. Bearden, 907-586-7008 or e-mail [patsy.bearden@noaa.gov](mailto:patsy.bearden@noaa.gov).

**SUPPLEMENTARY INFORMATION:** NMFS manages the U.S. groundfish fisheries of the GOA in the EEZ off Alaska under the Fishery Management Plan for Groundfish of the Gulf of Alaska and the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMPs). The FMPs were prepared by the North Pacific Fishery Management Council and approved by the Secretary of Commerce under authority of the Magnuson-Stevens Act. The FMPs are implemented by regulations at 50 CFR part 679. NMFS manages the IFQ Program for Pacific halibut under the Halibut Act; implementing regulations are at 50 CFR 300.60 through 300.66. General provisions governing fishing by U.S. vessels in accordance with the FMPs appear at subpart H of 50 CFR part 600.

This action revises the list of port codes in Tables 14a and 14b to 50 CFR part 679. The numerical codes identify ports where IFQ landings are made and are entered by participants when filing an IFQ prior notice of landing (PNOL). The background regarding this action is detailed in the preamble to the proposed rule (69 FR 4285 January 29, 2004). Public comments on the proposed rule were invited through March 1, 2004. No public comments were received on the proposed rule.

In brief, Tables 14a and 14b are revised as follows:

1. Numerical codes that are no longer used for IFQ landings and that do not have a corresponding alphabetical code have been removed, and
2. Numerical codes for ports that are geographically close enough to be reported as one port have been combined.

**Changes from the Proposed Rule**

The numerical codes identify ports where IFQ landings are made. These port codes are entered by participants when filing an IFQ prior notice of landing (PNOL) and when electronically reporting an IFQ landing (see 50 CFR 679.5(l)). The alphabetical codes identify ports where groundfish landings are made. Alphabetical codes are entered by participants completing a State of Alaska, Department of Fish and Game fish ticket and also are entered by shoreside processor participants entering data into the NMFS groundfish shoreside processor electronic logbook report (SPELR) (see 50 CFR 679.5(c)).

In Table 14a to part 679 port code 102 (Akutan Bay) is combined into port code 101 (Akutan), because these two locations are geographically close.

**Classification**

This final rule has been determined to be not significant for purposes of Executive Order 12866.

This final rule does not duplicate, overlap, or conflict with other Federal regulations.

This action does not impose new reporting, recordkeeping or other compliance requirements on regulated small entities.

The Chief Counsel for Regulation of the Department of Commerce certified that this final rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act. No comments were received regarding the economic impact of this final rule. Therefore, no FRFA is required, and none has been prepared.

This final rule contains two collection-of-information requirements subject to the Paperwork Reduction Act (PRA) and which have been approved by the OMB. Under control number 0648-0272, public reporting burden for the Prior Notice of Landing is estimated to average 12 minutes per response; for the IFQ landing report, 18 minutes per response is estimated. Under control number 0648-0401, public reporting burden for the Shoreside Processor Electronic Logbook Report is estimated at 30 minutes per response, including the time for reviewing instructions,

searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this data collection, including suggestions for reducing the burden, to NMFS (see ADDRESSES) and by e-mail to [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov), or fax to (202) 395-7285.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB Control Number.

**List of Subjects in 50 CFR Part 679**

Alaska, Fisheries, Recordkeeping and reporting requirements.

Dated: April 26, 2004.

**Rebecca Lent,**

*Deputy Assistant Administrator for Regulatory Programs, 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.*, and 3631 *et seq.*; 16 U.S.C. 1540(f); Pub. L. 105 277, Title II of Division C; Pub. L. 106 31, Sec. 3027; and Pub. L. 106 554, Sec. 209.

■ 2. Tables 14a and 14b to part 679 are revised to read as follows:

TABLE 14a TO PART 679.—PORT OF LANDING CODES:<sup>1</sup> ALASKA (MARCH 2004)

Port Name	NMFS code	ADF&G code
Adak .....	186	ADA
Akutan, Akutan Bay .....	101	AKU
Alitak .....	103	ALI
Anchorage .....	105	ANC
Angoon .....	106	ANG
Aniak .....	n/a	ANI
Anvik .....	n/a	ANV
Atka .....	107	ATK
Auke Bay .....	136	JNU
Beaver Inlet .....	119	DUT
Bethel .....	n/a	BET
Captains Bay .....	119	DUT
Chefornak .....	189	NA
Chignik .....	113	CHG
Cordova .....	115	COR
Craig .....	116	CRG
Dillingham .....	117	DIL
Douglas .....	136	JNU
Dutch Harbor/Unalaska ....	119	DUT
Egegik .....	122	EGE

TABLE 14a TO PART 679.—PORT OF LANDING CODES:<sup>1</sup> ALASKA (MARCH 2004)—Continued

Port Name	NMFS code	ADF&G code
Ekuk .....	NA	EKU
Elfin Cove .....	123	ELF
Emmonak .....	NA	EMM
Excursion Inlet .....	124	XIP
False Pass .....	125	FSP
Fairbanks .....	NA	FBK
Galena .....	NA	GAL
Glacier Bay .....	NA	GLB
Glennallen .....	NA	GLN
Gustavus .....	127	GUS
Haines .....	128	HNS
Halibut Cove .....	130	NA
Homer .....	132	HOM
Hoonah .....	133	HNH
Hydaburg .....	NA	HYD
Hyder .....	134	HDR
Juneau .....	136	JNU
Kake .....	137	KAK
Kaltag .....	NA	KAL
Kasilof .....	138	KAS
Kenai .....	139	KEN
Kenai River .....	139	KEN
Ketchikan .....	141	KTN
King Cove .....	142	KCO
King Salmon .....	143	KNG
Kipnuk .....	144	NA
Klawock .....	145	KLA
Kodiak .....	146	KOD
Kotzebue .....	NA	KOT
La Conner .....	NA	LAC
Mekoryuk .....	147	NA
Metlakatla .....	148	MET
Moser Bay .....	NA	MOS
Naknek .....	149	NAK
Nenana .....	NA	NEN
Nikiski (or Nikishka) .....	150	NIK
Ninilchik .....	151	NIN
Nome .....	152	NOM
Nunivak Island .....	NA	NUN
Old Harbor .....	153	OLD
Other Alaska <sup>1</sup> .....	499	UNK

TABLE 14a TO PART 679.—PORT OF LANDING CODES:<sup>1</sup> ALASKA (MARCH 2004)—Continued

Port Name	NMFS code	ADF&G code
Pelican .....	155	PEL
Petersburg .....	156	PBG
Port Alexander .....	158	PAL
Port Armstrong .....	NA	PTA
Port Bailey .....	159	PTB
Port Graham .....	160	GRM
Port Lions .....	NA	LIO
Port Moller .....	NA	MOL
Port Protection .....	161	NA
Quinhagak .....	187	NA
Sand Point .....	164	SPT
Savoonga .....	165	NA
Seldovia .....	166	SEL
Seward .....	167	SEW
Sitka .....	168	SIT
Skagway .....	169	SKG
Soldotna .....	NA	SOL
St. George .....	170	STG
St. Mary .....	NA	STM
St. Paul .....	172	STP
Tee Harbor .....	136	JNU
Tenakee Springs .....	174	TEN
Togiak .....	176	TOG
Toksook Bay .....	177	NA
Tununak .....	178	NA
Ugashik .....	NA	UGA
Unalakleet .....	NA	UNA
Valdez .....	181	VAL
Wasilla .....	NA	WAS
Whittier .....	183	WHT
Wrangell .....	184	WRN
Yakutat .....	185	YAK

<sup>1</sup> To report a landing at a location not currently assigned a location code number: use the code for "Other" for the state or country at which the landing occurs and notify NMFS of the actual location so that the list may be updated. For example, to report a landing for Levelock, Alaska which currently has no code assigned, use code "499" for "Other AK."

TABLE 14B TO PART 679.—PORT OF LANDING CODES: NON-ALASKA (CALIFORNIA, CANADA, OREGON, WASHINGTON) (APRIL 2004)

Port Name	NMFS Code	ADF&G Code
CALIFORNIA		
Eureka .....	500	EUR
Other California <sup>1</sup> .....	599	N/A
CANADA		
Other Canada <sup>1</sup> .....	899	N/A
Port Edward .....	802	PRU
Prince Rupert .....	802	PRU
OREGON		
Astoria .....	600	AST
Newport .....	603	NPT
Olympia .....	N/A	OLY
Other Oregon <sup>1</sup> .....	699	N/A
Portland .....	N/A	POR
Warrenton .....	604	N/A
WASHINGTON		
Anacortes .....	700	ANA
Bellingham .....	702	N/A
Blaine .....	717	BLA
Everett .....	704	N/A
La Conner .....	708	LAC
Other Washington <sup>1</sup> .....	799	N/A
Seattle .....	715	SEA
Tacoma .....	N/A	TAC

<sup>1</sup> To report a landing at a location not currently assigned a location code number: use the code for "Other" for the state or country at which the landing occurs and notify NMFS of the actual location so that the list may be updated. For example, to report a landing for Vancouver, which currently has no code assigned, use code "899" for "Other Canada."

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