

that brown shrimp will be leaving the Texas estuaries later than normal. This information and other data meeting the FMP's criteria indicate that beginning the closure on June 1, 1996, is necessary to provide adequate protection of small brown shrimp emigrating from the Texas estuaries.

Accordingly, the time and date as provided at 50 CFR 658.26(a) for beginning the Texas closure is changed from 30 minutes after sunset May 15, 1996, to 30 minutes after sunset on June 1, 1996. During the closure, the area described at 50 CFR 658.26(a) is closed to all trawl fishing, except that a vessel may trawl for royal red shrimp beyond the 100-fathom (183-m) depth contour. The waters of Texas will also be closed commencing at 30 minutes after sunset on June 1, 1996.

The termination date of the Texas closure may be adjusted to conform to the termination date of the closure in the waters of Texas. If adjusted, notification of the revised termination date will be published in the Federal Register.

Classification

This action is authorized by 50 CFR 658.26(b) and is exempt from review under E.O. 12866.

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

Dated: May 10, 1996.

Richard H. Schaefer,
Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

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50 CFR Part 672

[Docket No. 950727194-6118-03; I.D. 062795C]

Groundfish of the Gulf of Alaska; Recordkeeping and Reporting Requirements; General Limitations

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

ACTION: Final rule; technical amendment.

SUMMARY: NMFS issues a technical amendment to the final rule implementing regulations for recordkeeping and reporting under the authority of the Fishery Management Plan for Groundfish of the Gulf of Alaska (GOA) and the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (BSAI). This action corrects the definition for "fishing trip."

EFFECTIVE DATE: May 16, 1996.

FOR FURTHER INFORMATION CONTACT:

Patsy A. Bearden, 907-586-7228.

SUPPLEMENTARY INFORMATION: The final rule implementing recordkeeping and reporting requirements for the GOA and BSAI was published in the Federal Register on February 13, 1996 (61 FR 5608). The rule consolidated and revised recordkeeping and reporting requirements for the GOA and BSAI groundfish fisheries, including revisions to various definitions for the term, "fishing trip." Several very similar definitions for the term had existed previously and were to be reconciled and consolidated into one definition for the term in the final rule. The definition for "fishing trip" used to calculate maximum retainable bycatch amounts and retention of pollock roe in the GOA were found at § 672.20(h)(2) and (i)(4). Similar but slightly different definitions for this term as it applied to the BSAI also were found at § 675.20(i)(2) and (j)(4). Inadvertently, the reconciled definition in the final rule did not include some of the language of the original definitions.

The final rule implementing the recordkeeping and reporting requirements specified that an operator of a vessel is engaged in a fishing trip from the time the harvesting, receiving, or processing is begun or resumed until the transfer or offloading of all groundfish product, the vessel leaves the area where fishing activity commenced, or the end of a weekly reporting period, whichever occurs first. NMFS is amending the regulation to correct that definition to specify that a single fishing trip in an area continues until the offload or transfer of all groundfish or groundfish product, the vessel enters or leaves an area to which a directed fishing prohibition applies, or the end of a weekly reporting period, whichever occurs first. This change is based on language from earlier definitions and is designed to add additional precision and clarity concerning when a fishing trip begins and ends.

Classification

Because this technical amendment makes only minor, non-substantive corrections to an existing rule, notice and public procedure thereon and a delay in effective date would serve no purpose. Accordingly, under 5 U.S.C. 553(b)(B) and (d), notice and public procedure thereon and a delay in effective date are unnecessary.

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 672

Fisheries, Reporting and recordkeeping requirements

Dated: May 9, 1996.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For reasons set out in the preamble 50 CFR part 672 is amended to read as follows:

PART 672—GROUND FISH OF THE GULF OF ALASKA

1. The authority citation for part 672 continues to read as follows:

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

2. In § 672.20, paragraph (h)(2) is revised to read as follows:

§ 672.20 General limitations.

* * * * *

(h) * * *

(2) *Fishing trip.* For purposes of this section, an operator of a vessel is engaged in a single fishing trip in an area from the time the harvesting, receiving, or processing of groundfish is begun or resumed until:

(i) The offload or transfer of all groundfish or groundfish product from that vessel;

(ii) The vessel enters or leaves an area to which a directed fishing prohibition applies; or

(iii) The end of a weekly reporting period, whichever comes first.

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[FR Doc. 96-12240 Filed 5-15-96; 8:45 am]

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50 CFR Part 672

[Docket No. 960129018-6018-01; I.D. 051096D]

Groundfish of the Gulf of Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska

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

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for species that comprise the shallow-water species fishery by vessels using trawl gear in the Gulf of Alaska (GOA), except for vessels fishing for pollock using pelagic trawl gear in those portions of the GOA open to directed fishing for pollock. This action is necessary because the second seasonal bycatch allowance of Pacific halibut apportioned to the shallow-water species fishery in the GOA has been caught.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), May 13, 1996, until 12 noon, A.l.t., July 1, 1996.

FOR FURTHER INFORMATION CONTACT: Thomas Pearson, 907-486-6919.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 672.

In accordance with § 672.20(f)(1)(i) the shallow-water species fishery, which is defined at § 672.20(f)(1)(i)(B)(1) was apportioned 100 mt of Pacific halibut prohibited species catch for the second season, the period April 1, 1996, through June 30, 1996 (61 FR 4304, February 5, 1996).

The Director, Alaska Region, NMFS, has determined, in accordance with § 672.20(f)(3)(i), that vessels participating in the trawl shallow-water species fishery in the GOA have caught the first seasonal bycatch allowance of Pacific halibut apportioned to that fishery. Therefore, NMFS is prohibiting directed fishing for each species and species group that comprise the shallow-water species fishery by vessels using trawl gear in the GOA, except for vessels fishing for pollock using pelagic trawl gear in those portions of the GOA

open to directed fishing for pollock. The species and species groups that comprise the shallow-water species fishery are: pollock, Pacific cod, shallow-water flatfish, flathead sole, Atka mackerel, and "other species."

After the effective date of this closure the maximum retainable bycatch amounts, calculated using the retainable percentages at § 672.20(g), apply at any time during a trip.

Classification

This action is taken under 50 CFR 672.20 and is exempt from review under E.O. 12866.

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

Dated: May 13, 1996.

Donald J. Leedy,

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

[FR Doc. 96-12338 Filed 5-13-96; 3:38 pm]

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50 CFR Part 675

[Docket No. 960129019-6019-01, I.D. 051396A]

Groundfish of the Bering Sea and Aleutian Islands Area; Pacific Cod by Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area

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

ACTION: Closure.

SUMMARY: NMFS is closing the directed fishery for Pacific cod by vessels using trawl gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the first seasonal bycatch allowance of Pacific halibut apportioned to the trawl Pacific cod fishery in the BSAI.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), May 14, 1996, until 12 noon, A.l.t., October 25, 1996.

FOR FURTHER INFORMATION CONTACT: Mary Furuness, 907-586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the BSAI exclusive economic zone is managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 675.

The first seasonal bycatch allowance of Pacific halibut for the BSAI trawl Pacific cod fishery category, which is defined at § 675.21(b)(1)(iii)(E), was established by the Final 1996 Harvest Specifications of Groundfish (61 FR 4311, February 5, 1996) as 1,585 metric tons.

The Director, Alaska Region, NMFS, has determined, in accordance with § 675.21(c)(1)(iii), that the first seasonal bycatch allowance of Pacific halibut apportioned to the trawl Pacific cod fishery in the BSAI has been caught. Therefore, NMFS is prohibiting directed fishing for Pacific cod by vessels using trawl gear in the BSAI.

Maximum retainable bycatch amounts for applicable gear types may be found in the regulations at § 675.20(h).

Classification

This action is taken under 50 CFR 675.21 and is exempt from review under E.O. 12866.

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

Dated: May 13, 1996.

Donald J. Leedy,

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

[FR Doc. 96-12339 Filed 5-13-96; 3:38 pm]

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