

partnership that changes, as defined in this paragraph, must be transferred to an individual, as prescribed in § 679.41 of this part, before it may be used at any time after the effective date of the change.

(k) *Processing of fish other than IFQ halibut and IFQ sablefish.* Fish other than IFQ halibut or IFQ sablefish may be processed on a vessel on which persons:

(1) Are authorized to harvest IFQ halibut or IFQ sablefish based on allocations of IFQ resulting from QS assigned to vessel category A; or

(2) Are authorized to harvest IFQ sablefish based on allocations of IFQ resulting from QS assigned to vessel categories B or C unless any person aboard the vessel is authorized to harvest IFQ halibut based on allocations of IFQ resulting from QS assigned to vessel categories B, C, or D.

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BILLING CODE 3510-22-W

#### 50 CFR Part 679

[Docket No. 960129019-6019-01, I.D. 062196C]

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

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.), June 23, 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 subpart H of 50 CFR parts 600 and 679.

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 (mt). This fishery was previously closed on May 14, 1996, with the expectation that the first seasonal allocation had been taken (61 FR 24730, May 16, 1996). The fishery was subsequently opened on June 14, 1996, when NMFS determined that 89 mt of halibut mortality remained in the allocation (61 30544, June 17, 1996).

The Director, Alaska Region, NMFS, has determined, in accordance with § 679.21(e)(1)(iv), 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 the directed fishery 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 § 679.20(e).

#### Classification

This action is taken under 50 CFR 679.20 and is exempt from review under E.O. 12866.

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

Dated: June 21, 1996.

Donald J. Leedy,

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

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**50 CFR Part 679**

[Docket No. 960129018-6018-01; I.D. 061996A]

**Groundfish of the Gulf of Alaska; Atka Mackerel in the Western Regulatory Area**

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

**ACTION:** Modification of a closure.

**SUMMARY:** NMFS is opening the directed fishery for Atka mackerel in the Western Regulatory Area of the Gulf of Alaska (GOA) to allow a 24-hour directed fishery. This action is necessary to fully utilize the total allowable catch (TAC) of Atka mackerel in that area.

**EFFECTIVE DATES:** 12 noon, Alaska local time (A.l.t.), July 1, 1996, until 12 noon, A.l.t., July 2, 1996, the directed fishery for Atka mackerel in the Western Regulatory Area of the GOA is open; and effective 12 noon A.l.t. July 2, 1996, until 12 midnight, A.l.t. December 31, 1996, the directed fishery for Atka mackerel in the Western Regulatory Area of the GOA is closed.

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

**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 Subpart H of 50 CFR part 600 and 50 CFR part 679.

In accordance with § 679.20 (c)(3)(ii), the annual TAC for Atka mackerel in the Western Regulatory Area of the GOA, was established by the Final 1996 Harvest Specifications of Groundfish (61 FR 4304, February 5, 1996) as 2,310 metric tons (mt). The Final 1996 Harvest Specifications of Groundfish also closed the directed fishery for Atka mackerel in the Western Regulatory Area of the GOA. See § 679.20(a)(8).

The Director, Alaska Region, NMFS (Regional Director), in accordance with § 679.20(d)(1), has determined that the TAC of Atka mackerel in the Western Regulatory Area of the GOA is sufficient to allow a directed fishery. Therefore, NMFS is opening the directed fishery for Atka mackerel in the Western Regulatory Area of the GOA at 12 noon, A.l.t., July 1, 1996. A directed fishing

allowance of 2,110 mt is established with consideration that 200 mt will be taken as incidental catch in directed fishing for other species in the Western Regulatory Area

In accordance with § 679.20 (d)(1)(iii), the Regional Director has determined that the directed fishing allowance for Atka mackerel in the Western Regulatory Area will be reached within a 24-hour directed fishery for Atka mackerel. Consequently, NMFS is prohibiting directed fishing for Atka mackerel in the Western Regulatory Area of the GOA at 12 noon, A.l.t., July 2, 1996.

Maximum retainable bycatch amounts for applicable gear types may be found in the regulations at § 679.20(e).

**Classification**

This action is taken under § 679.20 and is exempt from review under E.O. 12866.

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

Dated: June 21, 1996.

Donald J. Leedy,

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

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