

round weight, multiply the processed weight times the PRR.

(i) *Headed and gutted.* The PRR for headed and gutted lingcod is 1.5. Therefore, the cumulative trip limit for headed and gutted lingcod is 13,333.3 lb (6,048 kg) processed weight per vessel per month, which corresponds to 20,000 lb (9,072 kg) round weight. (The State of Washington currently uses a PRR of 1.5.)

(ii) *Gutted, with the head on.* The PRR for lingcod that has only been eviscerated is 1.1. Therefore, the cumulative trip limit for gutted lingcod is 18,182 lb (8,246 kg) processed weight per vessel per month, which corresponds to 20,000 lb (9,072 kg) round weight.

7. *Introductory Text is Added to paragraph IV.J.(60 FR 2344) to Clarify that Length Measurement is the Same in the Recreational and Commercial Fisheries.*

IV.J. *Recreational Fishery.* Length measurement for lingcod is explained at paragraphs IV.A.(6) and IV.G.(1)(a).

Classification

The determination to take this action is based on the most recent data available. The aggregate data upon which the determination is based are available for public inspection at the office of the Regional Director, Northwest Region, (see ADDRESSES) during business hours. There was an opportunity for public comment at the April Council meeting. Supporting documents were available for public inspection prior to, and at, the Council meeting. The Secretary therefore finds good cause under 5 U.S.C. 553(b)(B) to waive the requirements for publication of a general notice of proposed rulemaking. Most actions taken in this rule relieve restrictions and therefore, according to 5 U.S.C. 553(d)(1), are not subject to the 30-day delayed effectiveness requirement of the Administrative Procedure Act. The only action that does not relieve a restriction is the reduction in the rockfish bag limit off the State of Washington. This action, however, is being implemented by the State of Washington on May 1, 1995, and NMFS finds that it is necessary to have consistent state and Federal bag limits. NMFS finds that need for consistency is good cause to waive the 30-day delay in effectiveness under 5 U.S.C. 553(d)(3). This action is taken under the authority of 50 CFR 663.21(a) and 50 CFR 663.23(c)(1)(i)(C), (1)(i)(E), and (3)(B), and is exempt from review under E.O. 12866.

Dated: May 1, 1995.

Richard H. Schaefer,

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

[FR Doc. 95-11128 Filed 5-2-95; 2:44 pm]

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50 CFR Part 675

[Docket No. 950206040-5040-01; I.D. 042195B]

Groundfish of the Bering Sea and Aleutian Islands Area; Yellowfin Sole

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

ACTION: Closure.

SUMMARY: NMFS is closing the directed fishery for yellowfin sole 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 yellowfin sole fishery category in the BSAI.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), May 1, 1995, until 12 noon, A.l.t., August 1, 1995.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, 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 yellowfin sole fishery, which is defined at § 675.21(b)(1)(iii)(B)(1), was established as 280 metric tons by the final 1995 initial specifications (60 FR 8479, February 14, 1995).

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 yellowfin sole fishery in the BSAI has been caught. Therefore, NMFS is prohibiting directed fishing for yellowfin sole by vessels using trawl gear in the BSAI.

Directed fishing standards 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 1, 1995.

Richard W. Surdi,

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

[FR Doc. 95-11069 Filed 5-1-95; 4:00 pm]

BILLING CODE 3510-22-F

50 CFR Part 675

[Docket No. 950206040-5040-01; I.D. 050195B]

Groundfish of the Bering Sea and Aleutian Islands Area; Greenland Turbot/Arrowtooth Flounder/Sablefish

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

ACTION: Closure.

SUMMARY: NMFS is closing the directed fishery for species in the Greenland turbot/arrowtooth flounder/sablefish fishery category by vessels using trawl gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the 1995 Pacific halibut bycatch mortality allowance apportioned to the trawl Greenland turbot/arrowtooth flounder/sablefish fishery category in the BSAI.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), May 3, 1995, until 12 midnight, A.l.t., December 31, 1995.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, 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 1995 Pacific halibut bycatch mortality allowance apportioned to the trawl Greenland turbot/arrowtooth flounder/sablefish fishery category, which is defined at § 675.21(b)(1)(iii)(C), was established as 120 metric tons by the 1995 final specifications (60 FR 8479, February 14, 1995).

The Director, Alaska Region, NMFS, has determined, in accordance with

§ 675.21(c)(1)(iii), that the 1995 bycatch mortality allowance of Pacific halibut apportioned to the trawl Greenland turbot/arrowtooth flounder/sablefish fishery category in the BSAI has been caught. Therefore, NMFS is prohibiting directed fishing for aggregate species in the Greenland turbot/arrowtooth flounder/sablefish fishery category by vessels using trawl gear in the BSAI.

Directed fishing standards for applicable gear types may be found in the regulations at § 675.20(h).

Classification

This action is taken under 50 CFR 675.20 and is exempt from review under E.O. 12866.

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

Dated: May 1, 1995.

Richard W. Surdi,

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

[FR Doc. 95-11068 Filed 5-1-95; 4:00 pm]

BILLING CODE 3510-22-F

50 CFR Part 676

[Docket No. 950223056-5109-02; I.D. 121594B]

RIN 0648-AG45

Limited Access Management of Federal Fisheries In and Off of Alaska; Improve IFQ Program

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

ACTION: Final rule.

SUMMARY: NMFS issues a final rule amending portions of the regulations implementing the Individual Fishing Quota (IFQ) Program for the Pacific halibut and sablefish fixed gear fisheries in and off of Alaska. This action is necessary to further refine the IFQ Program and is intended to improve the ability of NMFS to manage the halibut and sablefish fisheries.

EFFECTIVE DATE: June 1, 1995.

ADDRESSES: Copies of the final rule and the Regulatory Impact Review (RIR) 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, Attention: Lori J. Gravel.

FOR FURTHER INFORMATION CONTACT: John Lepore, 907-586-7228.

SUPPLEMENTARY INFORMATION: The IFQ Program is a regulatory regime designed to promote the conservation and

management of the fixed gear halibut and sablefish fisheries in and off of Alaska, and to further the objectives of the Magnuson Fishery Conservation and Management Act and the Northern Pacific Halibut Act. Further information on the implementation of this management program, and the rationale supporting it, is contained in the preamble to the final rule implementing the IFQ program published in the **Federal Register** on November 9, 1993 (58 FR 59375).

This action amends various portions of the regulations implementing the IFQ Program and is designed to make the IFQ Program more responsive to the conservation and management goals for the Nation's fishery resources. The following list gives a brief description of the regulatory provisions added or amended. Further information on these changes is contained in the preamble to the proposed rule published in the **Federal Register** on January 12, 1995 (60 FR 2935).

1. Section 676.11: (a) A definition of "clearing officer" is added to mean a NMFS special agent, a NMFS fishery enforcement officer, or a NMFS enforcement aide who is authorized to provide vessel clearances and perform other duties as described in part 676; and (b) the definition of "trip" is changed to clarify that a vessel operator cannot begin a new trip merely by crossing regulatory area boundaries.

2. Section 676.14(a) requires a vessel operator to provide the Alaska Region, NMFS, with the name and location of the registered buyer(s) to whom the IFQ species will be landed, the vessel identification, the estimated weight of IFQ species to be landed, the identification number(s) of the IFQ card(s) that will be used to make the landing, and the anticipated date and time of landing. This information must be reported at least 6 hours before landing IFQ species.

3. Section 676.14(b)(2) is revised to allow persons authorized by the International Pacific Halibut Commission to sample all IFQ halibut landings for biological information. Also, this revision authorizes clearing officers, authorized officers, and observers to verify, inspect, and sample all IFQ landings and landings made by those vessels, and to board vessels making IFQ landings.

4. Section 676.17(a) requires a vessel operator obtaining prelanding written clearance at a port in Alaska to provide the weight of IFQ species on board.

5. Section 676.17(a)(1) requires a vessel operator obtaining a prelanding written clearance at a port in Alaska to obtain that clearance prior to departing

the waters of the exclusive economic zone (EEZ) adjacent to the jurisdictional waters of the State of Alaska, the territorial sea of the State of Alaska, or the internal waters of the State of Alaska.

6. Section 676.17(a)(2) requires a vessel operator obtaining a prelanding written clearance at a port in a state other than Alaska to provide a departure report to NMFS, Alaska Region, prior to departing the waters of the EEZ adjacent to the jurisdictional waters of the State of Alaska, the territorial sea of the State of Alaska, or the internal waters of the State of Alaska. The departure report must include the weight of the IFQ species on board and the intended date and time the vessel will obtain prelanding vessel clearance.

7. Section 676.17(a)(9) designates geographic locations of the primary ports where a vessel operator can obtain vessel clearance from a clearing officer. These geographical locations also provide a vessel operator with notification of the approximate locations where boardings may occur if deemed necessary by a clearing officer.

8. Section 676.17(a)(3) requires a vessel operator to obtain vessel clearance from a clearing officer located at a primary port in the State of Alaska before that vessel operator lands IFQ species in a foreign port.

9. Section 676.17(a)(4) designates Port Hardy, Prince Rupert, and Vancouver, British Columbia, as the only Canadian ports where IFQ species may be landed.

10. Section 676.17(a)(5) requires a vessel operator having any IFQ species on board to land and weigh all species on board at the same time and place as the first landing of any species on board. For example, if a vessel had Pacific halibut (IFQ species), sablefish (IFQ species), and Pacific cod (non-IFQ species) on board, and the vessel operator wanted to offload the Pacific cod to a tender, the vessel operator also would be required to offload and weigh the Pacific halibut and sablefish.

11. Section 676.17(b) describes the 10 percent adjustment policy for a person who harvests or lands IFQ species in an amount greater than the amount available in the person's annual IFQ account. A person that harvests or lands an amount that is greater than the amount available in the person's annual IFQ account will have the account adjusted in the year following a determination that the account was exceeded, if the amount exceeding the account is not greater than 10 percent of the amount of IFQ available in the person's annual IFQ account at the time of landing. The adjustment would be a deduction of the amount of IFQ