

emphasis on eliminating or modifying those that are obsolete, duplicative, or otherwise in need of reform. This final rule is intended to carry out the President's directive with respect to the regulations implementing the Whaling Convention Act of 1949 (U.S.C. 916 *et seq.*).

Based on its review, NMFS is removing 50 CFR part 351, which pertains to the regulation of whaling. Part 351 contains the 1984 regulations of the International Whaling Commission (IWC). No portion of part 351 is relevant to the management of whaling within the United States today. Most of part 351 deals with regulations pertaining to commercial whaling, which is illegal in the United States. The sections of part 351 dealing with aboriginal whaling, which is permitted under some circumstances in the United States, regulated only the 1984 and 1985 whale hunt and are, therefore, no longer necessary.

Aboriginal whaling within the United States remains regulated under 50 CFR part 230. Part 230 also contains certain outdated material, which will be revised and updated through another rulemaking to be published in the Federal Register.

The elimination of 50 CFR part 351 by this final rule is intended to reduce the volume and publication costs of the regulations.

#### Classification

This final rule has been determined to be not significant for the purposes of E.O. 12866.

Because this rule only eliminates regulations that are no longer applicable to anyone, no useful purpose would be served by providing notice and the opportunity for public comment. Accordingly, the Assistant Administrator for Fisheries, NOAA (AA), under 5 U.S.C. 553(b)(B), for good cause finds that providing notice and opportunity for public comment is unnecessary. For the same reason, the

AA, under 5 U.S.C. 553(d), for good cause finds that a 30-day delay in their elimination is unnecessary.

#### List of Subjects in 50 CFR Part 351

Fisheries, Marine mammals, Reporting and recordkeeping requirements, Treaties.

Dated: March 1, 1996.

Gary Matlock,

*Program Management Officer, National Marine Fisheries Service.*

For the reasons set out in the preamble, under authority of Article 5, 62 Stat. 1718, sec. 2-14, 64 Stat. 421-425; 16 U.S.C. 916 *et seq.*, 50 CFR part 351 is removed and subchapter B is reserved.

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#### 50 CFR Part 675

[Docket No. 960129019-6019-01; I.D. 030496E]

#### Groundfish of the Bering Sea and Aleutian Islands Area; Pacific Ocean Perch in the Eastern Aleutian District

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

**ACTION:** Closure.

**SUMMARY:** NMFS is closing the directed fishery for Pacific ocean perch in the Eastern Aleutian District of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the specification of Pacific ocean perch in this area.

**EFFECTIVE DATE:** 12 noon, Alaska local time (A.l.t.), March 5, 1996, until 12 midnight, A.l.t., December 31, 1996.

**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.

In accordance with § 675.20(a)(7)(ii), the Final 1996 Harvest Specifications of Groundfish (61 FR 4311, February 5, 1996) for the BSAI established 2,571 metric tons (mt) as the initial total allowable catch for Pacific ocean perch in the Eastern Aleutian District.

The Director, Alaska Region, NMFS (Regional Director), has determined, in accordance with § 675.20(a)(8), that the Pacific ocean perch initial total allowable catch in the Eastern Aleutian District subarea soon will be reached. Therefore, the Regional Director has established a directed fishing allowance of 2,471 mt after determining that 100 mt will be taken as incidental catch in directed fishing for other species in the Eastern Aleutian District. NMFS is prohibiting directed fishing for Pacific ocean perch in the Eastern Aleutian District to prevent exceeding the directed fishing allowance.

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

#### Classification

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

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

Dated: March 4, 1996.

Richard W. Surdi,

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

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