

Dated: October 15, 1996.

Betty L. Bailey,

Director, Office of Acquisition Management.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[I.D. 101796B]

Atlantic Tuna Fisheries; Adjustments

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

ACTION: Fishery reopening.

SUMMARY: NMFS has determined that the Atlantic bluefin tuna (ABT) General category quota, as adjusted, has not been reached. Therefore, NMFS reopens the General category fishery for large medium and giant ABT for areas outside the New York Bight for one day. Closure of this one day fishery will be strictly enforced. The General category fishery for large medium and giant ABT for areas inside the New York Bight will remain open until the set-aside quota is reached. This action is being taken to extend scientific data collection on certain size classes of ABT while preventing overharvest of the adjusted subquotas for the affected fishing categories.

EFFECTIVE DATE: The General category fishery for large medium and giant ABT will open for areas outside the New York Bight beginning Monday, October 21, at 1 a.m. local time and close on Monday, October 21, at 11:30 p.m. local time.

FOR FURTHER INFORMATION CONTACT: John Kelly, 301-713-2347, or Mark Murray-Brown, 508-281-9260.

SUPPLEMENTARY INFORMATION: Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of ABT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285. Section 285.22 subdivides the U.S. quota recommended by the International Commission for the Conservation of Atlantic Tunas among the various domestic fishing categories.

NMFS is required, under § 285.20(b)(1), to monitor the catch and landing statistics and, on the basis of these statistics, to project a date when the catch of ABT will equal the quota

and publish a Federal Register announcement to close the applicable fishery.

General Category Reopening

Implementing regulations for the Atlantic tuna fisheries at § 285.22 provide for a quota of 541 mt of large medium and giant ABT to be harvested from the regulatory area by vessels fishing under the General category quota during calendar year 1996. The General category ABT quota is further subdivided into monthly quotas to provide for broad temporal and geographic distribution of scientific data collection and fishing opportunities.

NMFS previously adjusted the General category October subquota to 60 mt for all areas outside the New York Bight and announced a closure date of October 2, 1996 (61 FR 50765, September 27, 1996). NMFS subsequently adjusted the General category October subquota by transferring 30 mt from the Incidental longline category under the authority of implementing regulations at 50 CFR 285.22(f) (61 FR 53677, October 15, 1996). Thus, the October General category quota was adjusted to 90 mt, with an additional 10 mt reserved for the New York Bight, and the General category fishery was reopened for areas outside the New York Bight for one day on October 11, 1996.

NMFS has determined that the full 90 mt October General category quota was not taken as of the closure on October 11, 1996. Therefore, NMFS reopens the General category fishery for large medium and giant ABT for areas outside the New York Bight for one day on October 21, 1996. Closure of this one day fishery will be strictly enforced and remaining quota, if any, will be held in reserve for the General category in 1997 or, if necessary, other fishing categories in 1996.

The New York Bight set-aside is not affected by this action and the General category fishery for large medium and giant ABT for areas inside the New York Bight will remain open until the set-aside quota is reached. However, during this one day opening, on October 21, 1996, large medium and giant ABT harvested and landed in the New York Bight area will be counted against the New York Bight set-aside quota.

Classification

This action is taken under 50 CFR 285.20(b), 50 CFR 285.22, and 50 CFR 285.24 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 971 *et seq.*

Dated: 18 October 1996.

Gary Matlock,

Director, Office of Sustainable Fisheries,

National Marine Fisheries Service.

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50 CFR Part 679

[Docket No. 960129018-6018-01; I.D. 101896A]

Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620

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

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for pollock in Statistical Area 620 of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the 1996 pollock total allowable catch (TAC) in this area.

EFFECTIVE DATE: 1200 hrs, Alaska local time (A.l.t.), October 21, 1996, until 2400 hrs, December 31, 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 subpart H of 50 CFR part 600 and 50 CFR part 679.

The 1996 pollock TAC in Statistical Area 620 was established by the Final 1996 Harvest Specifications of Groundfish (61 FR 4304, February 5, 1996) as 12,840 metric tons (mt), determined in accordance with § 679.20(c)(3).

The Director, Alaska Region, NMFS (Regional Director), established a directed fishing allowance of 12,500 mt, and has set aside the remaining 340 mt as bycatch to support other anticipated groundfish fisheries. The Regional Director has determined, in accordance with § 679.20(d)(1), that the 1996 pollock TAC in Statistical Area 620 soon will be reached. Consequently, NMFS is prohibiting directed fishing for pollock in Statistical Area 620. This closure was originally intended to be effective on October 13, 1996; with that expectation, the Regional Director