

Dated: November 19, 1996.
Gary C. Matlock,
*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*
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50 CFR Part 648**[I.D. 110796F]****RIN 0648-AF01****Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Revised Measures for Amendment 5**

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

ACTION: Notice of availability; request for comments.

SUMMARY: NMFS announces that the Mid-Atlantic Fishery Management Council (Council) has revised and resubmitted for Secretarial approval three measures that were originally disapproved in the Secretarial review of Amendment 5 to the Fishery Management Plan for the Atlantic Mackerel, Squid, and Butterfish

Fisheries (FMP). NMFS is requesting comments from the public; copies of the revised measures for Amendment 5, and Amendment 5 itself, may be obtained from the Council (see **ADDRESSES**).

DATES: Comments on the revised measures of Amendment 5 that have been resubmitted must be received on or before January 24, 1997.

ADDRESSES: All comments should be sent to Dr. Andrew A. Rosenberg, Regional Administrator, National Marine Fisheries Service, Northeast Regional Office, One Blackburn Drive, Gloucester, MA 01930-3799. Mark the outside of the envelope "Comments on Resubmitted SMB 5".

Copies of the revised measures that were disapproved earlier in Amendment 5, the environmental assessment, and the regulatory impact review are available from David R. Keifer, Executive Director, Mid-Atlantic Fishery Management Council, Room 2115 Federal Building, 300 S. New Street, Dover, DE 19904-6790.

FOR FURTHER INFORMATION CONTACT: Myles Raizin, Fishery Policy Analyst, 508-281-9104.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires that

each Regional Fishery Management Council submit any FMP or FMP amendment it prepares to the Secretary of Commerce (Secretary) for review and approval, disapproval, or partial disapproval. The Magnuson-Stevens Act also requires that the Secretary, upon receiving the FMP or FMP amendment, immediately make them available for public review and comment. The Secretary will consider the public comments in determining whether to approve the FMP or FMP amendment.

The revised measures would establish: (1) A revised overfishing definition for Atlantic mackerel that would restrict allowable biological catch (ABC) to a fishing mortality rate of $F_{0.1}$ and would cap ABC at 405,000 mt for 1 year, (2) a moratorium vessel permit for *Illex* squid with a 5-year sunset provision, and (3) a 5,000-lb (2.26-mt) incidental catch permit for *Illex* squid. The transmit date for this Amendment is November 6, 1996.

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

Dated: November 20, 1996.

Gary C. Matlock,
*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*
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