

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 622**

[Docket No. 950725189-6245-04; I.D. 022697B]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction

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

ACTION: Trip limit reduction.

SUMMARY: NMFS reduces the commercial trip limit of king mackerel in the Florida east coast sub-zone from 50 to 25 per day in or from the exclusive economic zone (EEZ). This trip limit reduction is necessary to protect the overfished Gulf king mackerel resource.

EFFECTIVE DATE: The 25-fish commercial trip limit is effective 12:01 a.m., local time, March 1, 1997, through March 31, 1997.

FOR FURTHER INFORMATION CONTACT: Mark F. Godcharles, 813-570-5305.

SUPPLEMENTARY INFORMATION: The fishery for coastal migratory pelagic fish (king mackerel, Spanish mackerel, cero, cobia, little tunny, dolphin, and, in the Gulf of Mexico only, bluefish) is managed under the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (FMP). The FMP was prepared by the Gulf of Mexico and South Atlantic Fishery Management Councils (Councils) and is implemented by regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act.

Based on the Councils' recommended total allowable catch and the allocation ratios in the FMP, NMFS implemented a commercial quota for the Gulf migratory group of king mackerel in the Florida east coast sub-zone of 865,000 lb (392,357 kg). In accordance with 50 CFR 622.44(a)(2)(i)(B), from the date that 75 percent of the sub-zone's commercial quota has been harvested, provided that the date occurs before March 1, until a closure of the Florida east coast sub-zone has been effected, king mackerel in or from this sub-zone in the EEZ may be possessed on board or landed from a permitted vessel in amounts not exceeding 25 per day. The 25-fish trip limit remains in effect through March 31, 1997, when the boundary of the Gulf

migratory group of king mackerel shifts from the east coast to the west coast of Florida, unless 100 percent of the commercial quota is reached before March 31, in which case the commercial fishery for king mackerel in the Florida east coast sub-zone is closed by publication of a notification in the Federal Register.

NMFS has determined that 75 percent of the commercial quota for Gulf group king mackerel from the Florida east coast sub-zone was reached by February 28, 1997. Accordingly, a 25-fish trip limit applies to king mackerel in or from the EEZ in the Florida east coast sub-zone effective 12:01 a.m., local time, March 1, 1997.

The Florida east coast sub-zone extends from 25°20.4' N. lat. (due east of the Dade/Monroe County, FL, boundary) to 29°25' N. lat. (due east of the Volusia/Flagler County, FL, boundary) from November 1 through March 31.

Classification

This action is taken under 50 CFR 622.44(a)(2)(i)(B) and is exempt from review under E.O. 12866.

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

Dated: February 27, 1997.

Gary C. Matlock,
Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.
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50 CFR Part 679

[Docket No. 961107312-7012-02; I.D. 022697D]

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Eastern Aleutian District of the Bering Sea and Aleutian Islands

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

ACTION: Closure.

SUMMARY: NMFS is closing directed fishing 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 1997 total allowable catch (TAC) of Pacific ocean perch in this area.

EFFECTIVE DATE: 1200 hrs, Alaska local time (A.l.t.), February 27, 1997, until 2400 hrs, A.l.t., December 31, 1997.

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-Stevens 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 TAC of Pacific ocean perch for the Eastern Aleutian District was established by the Final 1997 Harvest Specifications of Groundfish for the BSAI (62 FR 7168, February 18, 1997) as 3,240 metric tons (mt). See § 679.20(c)(3)(iii).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the TAC for Pacific ocean perch specified for the Eastern Aleutian District will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 3,040 mt, and is setting aside the remaining 200 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance will soon be reached. Consequently, NMFS is prohibiting directed fishing for Pacific ocean perch in the Eastern Aleutian District.

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

Classification

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

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

Dated: February 27, 1997.

Gary Matlock,
Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.
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50 CFR Part 679

[Docket No. 961107312-7012-02; I.D. 022697C]

Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Eastern Aleutian District and Bering Sea Subarea

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Prohibition of retention.

SUMMARY: NMFS is prohibiting retention of Atka mackerel in the Eastern Aleutian District and the Bering Sea subarea of the Bering Sea and Aleutian Islands management area (BSAI). NMFS is requiring that catches of Atka mackerel in this area be treated in the same manner as prohibited species and discarded at sea with a minimum of injury. This action is necessary because the Atka mackerel 1997 total allowable catch (TAC) in this area has been reached.

EFFECTIVE DATE: 1200 hrs, Alaska local time (A.l.t.), February 28, 1997, until 2400 hrs, A.l.t., December 31, 1997.

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-Stevens 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 CFR part 679.

The 1997 TAC of Atka mackerel in the Eastern Aleutian District and the Bering Sea subarea was established by the Final 1997 Harvest Specifications of Groundfish for the BSAI (62 FR 7168, February 18, 1997) as 15,000 metric tons. See § 679.20(c)(3)(iii).

In accordance with § 679.20(d)(2), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the 1997 TAC for Atka mackerel in the Eastern Aleutian

District and the Bering Sea subarea has been reached. Therefore, the Regional Administrator is requiring that further catches of Atka mackerel in the Eastern Aleutian District and the Bering Sea subarea be treated as prohibited species in accordance with § 679.21(b).

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

Classification

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

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

Dated: February 27, 1997.

Gary Matlock,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

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