

part 61 and sources located on Indian lands within the boundaries of Bernalillo County.

Today's notice informs the public that the EPA has delegated full authority to the AEHD for implementation and enforcement of the NSPS and NESHAP promulgated by the EPA through August 20, 1991, for NSPS and September 19, 1991, for NESHAP, and partial authority is delegated for the new and amended standards after that date. All of the required information, pursuant to the Federal NSPS and NESHAP (40 CFR part 60 and 40 CFR part 61) by sources located within the boundaries of Bernalillo County and in areas outside of Indian lands, should be submitted directly to the Albuquerque Environmental Health Department, the City of Albuquerque, P.O. Box 1293, Albuquerque, New Mexico 87103. Sources located on Indian lands in the State of New Mexico, including Bernalillo County, should apply to the EPA Region 6 office at the address given in this notice. The sources located in the State of New Mexico, other than those areas specified above, should submit all of the required information to Chief, Air Quality Bureau, New Mexico Environmental Improvement Division, 190 St. Francis Drive, Santa Fe, New Mexico 87503. All of the inquiries and requests concerning implementation and enforcement of the radionuclide standards under 40 CFR part 61, in the State of New Mexico, should be directed to the EPA Region 6 Office.

The Office of Management and Budget has exempted this information notice from the requirements of section 3 of Executive Order 12291.

This delegation is issued under the authority of section 111(c) and 112(l)(1) of the Clean Air Act, as amended (42 U.S.C. 7411(C) and 7412(D)).

List of Subjects

40 CFR Part 60

Air pollution control, Aluminum, Ammonium sulfate plants, Cement industry, Coal, Copper, Electric power plants, Fossil-Fuel steam generators, Glass and glass products, Grain, Iron, Lead, Metals, Motor vehicles, Nitric acid plants, Paper and paper industry, Petroleum Phosphate, Fertilizer, Sewage disposal, Steel, Sulfuric acid plants, Waste treatment and disposal, Zinc.

40 CFR Part 61

Air pollution control, Asbestos, Benzene, Beryllium, Hazardous materials, Mercury, Vinyl Chloride.

Dated: August 19, 1992.

Joe D. Winkle,

Regional Administrator (6A).

[FR Doc. 92-26022 Filed 10-26-92; 8:45 am]

BILLING CODE 6560-50-M

ID. # 060392 A CB
DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 611 and 685

[Docket No. 920776-2256]

RIN 0648-AE36

Pelagic Fisheries of the Western Pacific Region

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Final rule.

SUMMARY: The Secretary of Commerce (Secretary) issues this final rule to implement Amendment 6 to the Fishery Management Plan for the Pelagic Fisheries of the Western Pacific Region (FMP). The actions in this rule are intended to make the FMP and its implementing regulations consistent with amendments to the Magnuson Fishery Conservation and Management Act (Magnuson Act). The 1990 amendments to the Magnuson Act established exclusive U.S. jurisdiction over fisheries for tuna within the exclusive economic zone (EEZ). Amendment 6 provides that tunas and related species will be included in the fishery management unit for the FMP. Under Amendment 6, waters in the EEZ that are now closed to domestic longline vessels to prevent gear conflicts and incidental take of protected species also will be closed to operators of foreign vessels fishing for pelagic species. The amendment also applies some of the general foreign fishing regulations, which now apply to foreign longline vessels, to foreign baitboat and purse seine vessels. Foreign vessel reporting requirements and collection and reporting of data requirements that now apply to foreign longline vessels will also apply to foreign baitboat and purse seine vessels when approval from the Office of Management and Budget is received.

DATES: This action becomes effective at 0000 hours local time November 27, 1992.

The provisions of existing §§ 611.81(g) and 611.81(h), which are associated with collection-of-information requirements subject to the Paperwork Reduction Act, are not yet applicable to foreign baitboat and purse seine vessels. When approval from the Office of Management

and Budget is obtained, the provisions of §§ 611.81(g) and 611.81(h) will be applied to foreign baitboat and purse seine vessels and the public will be notified through publication in the Federal Register.

ADDRESSES: Copies of Amendment 6, which incorporates an environmental assessment and regulatory impact review, may be obtained from Kitty M. Simonds, Executive Director, Western Pacific Management Council, 1164 Bishop St., Suite 1405, Honolulu, HI 96813.

FOR FURTHER INFORMATION CONTACT: Kitty M. Simonds, Western Pacific Fishery Management Council, at (808) 523-1368; Svein Fougner, Fisheries Management Division, Southwest Region, NMFS, at (310) 980-4034; or Alvin Z. Katekaru, Pacific Area Office, Southwest Region, NMFS, at (808) 955-8831.

SUPPLEMENTARY INFORMATION: The Western Pacific Fishery Management Council (Council) functions under authority of the Magnuson Act. Until recently, section 102 of the Magnuson Act excluded tuna from the exclusive management authority of the United States. The 1990 amendments to the Magnuson Act provided for the inclusion of tunas, beginning January 1, 1992. In the Pacific, tuna fisheries are to be managed under fishery management plans of the Regional Fishery Management Councils. The Council prepared the FMP for fisheries that take pelagic species other than tunas (i.e., swordfish, marlins, other billfishes, mahimahi, wahoo, and oceanic sharks) in 1986, and regulations were implemented in 1987 (52 FR 5987, February 27, 1987). This amendment will bring the FMP into conformance with the Magnuson Act. The proposed rule to implement this amendment was published at 57 FR 32952 (July 24, 1992).

As indicated in the proposed rule, Amendment 6 redefines the Pacific pelagic species management unit by listing genera of tunas, billfishes and associated species, and families of oceanic sharks, in the management unit, rather than listing each individual species. The tunas and related species to be added to the FMP management unit include the genera that contain these species: *Allothenus fallai*, *Auxis rochei*, *A. thazard*, *Euthynnus affinis*, *E. lineatus*, *Gymnosarda unicolor*, *Katsuwonus pelamis*, *Scomber japonicus*, *Thunnus albacares*, *T. alalunga*, *T. obesus*, and *T. thynnus*. Each genus contains species that are caught by operators of vessels that fish in or otherwise use waters within the

Council's area of authority. Similarly, mahimahi, marlin, and spearfish, which were part of the original management unit, are now listed by genus name only, rather than by genus and species. The use of genus names will obviate the need for changes in the FMP management unit if changes occur in the mix of species taken in the areas covered by the FMP, or as taxonomic changes arise. Those genera that include only a single species are identified by both genus and species.

Amendment 6 defines overfishing for tuna stocks in the same manner as overfishing was defined for non-tuna stocks through Amendment 1 to the FMP. A stock is determined to be overfished if its spawning potential ratio (SPR) is less than 0.20. The Southwest Science Director, NMFS, has certified that this definition meets the requirements of the Secretary of Commerce's guidelines for conformance with the national standards of the Magnuson Act.

The FMP requires operators of foreign longline vessels to obtain permits before they can fish in the EEZ and to submit vessel activity reports, maintain timely and accurate records, and have a U.S. observer on board when fishing in the EEZ. The FMP also prohibits operators of foreign longline vessels from fishing within 12 nautical miles (nm) of Guam and the Hawaiian Islands, and larger areas may be closed under specific circumstances. This final rule applies these same requirements to operators of foreign pole-and-line (baitboat) and purse seine vessels.

Operators of U.S. longline vessels currently are prohibited from fishing in certain areas of the EEZ around Guam and Hawaii to prevent conflicts between operators of longline vessels and troll and handline vessels. Waters around the NWHI also are closed to U.S. longline vessels to prevent the incidental take of protected species (e.g., Hawaiian monk seals). To ensure that these objectives are achieved under this rule, the areas closed to U.S. longline fishing vessels are closed to foreign fishing vessels as well. This closure also may reduce the possibility of localized overfishing and the potential loss of harvesting ability for domestic recreational and commercial fisheries. However, no permits will be issued for foreign longline vessels to fish in the EEZ around Hawaii until at least April 1994 (see below).

Operators of U.S. longliners currently are required to notify NMFS when transiting the NWHI protected species zone. While the Council proposed that this requirement be imposed on all foreign longline vessel operators, and

the proposed rule reflected this proposal, such a requirement has been found by the Department of State to be inconsistent with customary international law because it infringes upon freedom of navigation. The measure has been disapproved by the Secretary. Therefore, the final rule does not require operators of foreign longline vessels to notify NMFS when they intend to transit the NWHI protected species zone.

The FMP contains a moratorium, until April 1994, on the issuance of new permits for U.S. longliners authorized to fish around Hawaii. Under the Magnuson Act, U.S. interests are given priority over foreign interests, and it would be inconsistent to issue permits allowing foreign longline vessels to fish in the EEZ when new domestic fishing effort is being prevented. Therefore, this final rule prohibits foreign longline fishing in the EEZ around Hawaii while the moratorium is in effect.

The final rule prohibits operators of foreign longliners in the "non-retention zone" around the main Hawaiian Islands from (1) retaining billfish, oceanic sharks, wahoo, or mahimahi; and (2) removing billfish or oceanic sharks from the water. The non-retention zone extends seaward to 100 nm from the islands, but because the shoreward boundaries of the zone are contiguous with the closed areas, the zone is narrowed to the extent that the closed areas are expanded. The non-retention zone around Guam, which extends to 50 nm from the island, is removed because it is subsumed by the expansion of the closed area. The regulations governing fishing in the non-retention zone will not restrict longlining for the newly included genera of tuna and related species. The final rule does not subject foreign purse seiners and baitboats to the existing non-retention zone for foreign longliners because the incidental catch of non-tuna species by these gear types is small.

No new management measures are imposed on operators of U.S. longliners or other domestic gears (e.g., purse seine, baitboat, troll, handline), so there would be no impacts on U.S. fishermen.

The FMP specifies domestic annual harvest (DAH) and total allowable level of foreign fishing (TALFF) for pelagic non-tuna species in non-numeric terms. Under this final rule, DAH and TALFF for tuna and related species will be specified in the same non-numeric manner.

In summary, under Amendment 6, tunas and related species are included in the FMP, providing clear authority for the Council and NMFS to manage all pelagic fishing activities in the region.

The definition of overfishing for tunas will guide the selection of conservation and management measures to promote the long-term viability of the management unit stocks. Because of the large (perhaps Pacific-wide) population boundaries of most of the Pacific pelagic management unit species (including the main tuna species), preventing the overfishing of entire stocks, including those within the EEZ, may require regional or international management. There is little information on the status of minor species, but including them in the management unit allows the Council and NMFS to collect data and analyze the impacts of fishing on their populations.

Comments and Responses

Four sets of comments were received on the proposed rule; two favored approval of the amendment, one offered no specific comments, and one objected only to the specific measure requiring foreign longline vessel operators to notify NMFS prior to transiting the protected species zone in the NWHI. That measure has been disapproved, as noted above.

Changes From the Proposed Rule

Several technical changes have been made in the final rule. The Office of Fisheries Conservation and Management, NMFS, moved after issuance of the FMP regulations; this final rule reflects the change of address. Furthermore, § 611.81(a) has been revised to indicate that the 50 CFR part 685 regulations govern fishing only in the EEZ off Hawaii, the Northern Mariana Islands, and Pacific Ocean territories and possessions.

Classification

The Regional Director determined that Amendment 6 and its implementing rule are necessary for the conservation and management of the pelagic fisheries of the western Pacific region and are consistent with the Magnuson Act and other applicable law.

The Council prepared an environmental assessment (EA) for the amendment and incorporated it into the amendment document. Based on the EA the Assistant Administrator for Fisheries, NOAA (Assistant Administrator), has determined that there will not be a significant impact on the environment as a result of this rule. A copy of the EA is available from the Council (see ADDRESSES).

The Assistant Administrator has determined that this is not a "major rule" requiring a regulatory impact analysis under E.O. 12291. The Council

incorporated a regulatory impact review in Amendment 6, which may be obtained from the Council (see ADDRESSES).

The General Counsel of the Department of Commerce certified to the Small Business Administration that this rule will not have a significant economic impact on a substantial number of small entities. As a result, a regulatory flexibility analysis was not prepared.

This rule contains a collection-of-information requirement subject to the Paperwork Reduction Act. A request for approval of this collection-of-information has been submitted to the Office of Management and Budget (OMB). Operators of foreign fishing vessels would be required to record and submit data on their catch and effort in the EEZ. This total burden is expected to be light because few, if any, vessels are expected to fish in the EEZ. The estimated burden per vessel is 5 minutes per day for the operator to copy this information onto the U.S. log. This collection is a modification of a collection previously approved by OMB (OMB No. 0648-0075).

This collection will become effective upon approval from OMB and publication of a notice to that effect in the Federal Register. Comments on the collection of information and/or suggestions on how to reduce the burden can be sent to the Regional Director, Southwest Region, NMFS (see ADDRESSES) and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503 [Attn. NOAA Desk Officer].

The Council determined that this rule will be implemented in a manner that is consistent to the maximum extent practicable with the approved coastal management programs of American Samoa, Guam, and Hawaii. This determination was submitted for review by the responsible island government agencies under section 307 of the Coastal Zone Management Act. The respective island government agencies with coastal zone management responsibilities for review have concurred with this determination.

The Council assessed the potential impacts of the rule on endangered and threatened species and their habitat and concluded that the rule is not likely to adversely affect any endangered or threatened species, nor will it adversely affect any critical habitat of any listed species. On May 22, 1992, NMFS concurred with this conclusion and determined that no further consultations are necessary.

This rule does not contain policies with federalism implications sufficient to warrant preparation of a federalism assessment under E.O. 12812.

List of Subjects

50 CFR Part 611

Fisheries, Foreign relations, Reporting and recordkeeping requirements.

50 CFR Part 685.

American Samoa, Fisheries, Fishing, Guam, Hawaiian Natives, Northern Mariana Islands, Reporting and recordkeeping requirements.

Dated: October 20, 1992.

Samuel W. McKeen,

Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.

For the reasons set out in the preamble, chapter VI of title 50 of the Code of Federal Regulations is amended as follows:

PART 611—FOREIGN FISHING

1. The authority citation for part 611 continues to read as follows:

Authority: 16 U.S.C. 1801 et seq., 16 U.S.C. 971 et seq., 22 U.S.C. 1971 et seq., and 16 U.S.C. 1361 et seq.

2. In § 611.2, the definition of "highly migratory species" is removed and the definition of "fish (when used as a noun)" is revised to read as follows:

§ 611.2 Definitions.

Fish (when used as a noun) means finfish, mollusks, crustaceans, and all other forms of marine animal and plant life other than marine mammals and birds.

Appendix A to Subpart A—[Amended]

3. In Table 1 to appendix A of subpart A of part 611, the entry in the first column for "Director, Southwest Region, National Marine Fisheries Service" is revised to read "Director, Southwest Region, National Marine Fisheries Service, NOAA, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213; Telephone (310) 980-4001".

3a. In Table 2 to appendix A of subpart A of part 611, the entry in the second column for "Pacific Billfish, Oceanic Sharks, Wahoo, and Mahimahi Fishery" is revised to read "Pacific Pelagic Species Fishery".

3b. In Table 4 to appendix A of subpart A of part 611, the entry in the first column for "Pacific Billfish, Oceanic Sharks, Wahoo, and Mahimahi Fishery" is revised to read "Pacific Pelagic Species Fishery".

4. In the table to appendix D to subpart A of part 611, the following species codes and associated genera are added in numerical order to section B. of the table to read as follows:

Appendix D to Subpart A—Species Codes

Code	Common name ¹	Scientific name
B. Pacific Ocean Fishes Finfish		
257	Chub (Pacific) mackerel.	<i>Scomber japonicus</i> .
272	Albacore	<i>Thunnus alalunga</i> .
278	Bigeye tuna	<i>Thunnus obesus</i> .
280	Bluefin tuna	<i>Thunnus thynnus</i> .
282	Skipjack tuna	<i>Katsuwonus pelamis</i> .
284	Yellowfin tuna	<i>Thunnus albacares</i> .
289	Other tunas and related species.	<i>Allothunnus fallai</i> , <i>Aloas rochei</i> , <i>Auax thazard</i> , <i>Euthynnus affinis</i> , <i>Euthynnus lineatus</i> , <i>Gymnosarda unicolor</i> .

¹ (NS) means non-specific as to species. This code must be used for all species of this species group unless a more specific code exists.

5. In § 611.20, the third sentence of paragraph (c) is revised to read as follows:

§ 611.20 Total allowable level of foreign fishing (TALFF).

(c) * * * For current apportionments, contact the appropriate Regional Director or the Office of Fisheries Conservation and Management, F/CM, National Marine Fisheries Service, 1335 East-West Highway, Silver Spring, MD 20910.

6. In § 611.81, the section heading, paragraphs (a), (b), (c), (j)(2) including Table 1, (j)(3), and (j)(4) text preceding Table 2 are revised; paragraph (h)(4) is removed; and new paragraph (j)(9) is added to read as follows:

§ 611.81 Pacific pelagic species fishery.

(a) *Purpose and scope.* This section regulates all foreign fishing for Pacific pelagic management unit species conducted under a GIFA within the EEZ in the Pacific Ocean except that part of the EEZ in the Pacific Ocean except that part of the EEZ off Alaska. Regulations governing domestic vessels fishing for Pacific pelagic management unit species in the EEZ in the Pacific Ocean except that part of the EEZ off Alaska, California, Oregon, and Washington appear in part 685 of this chapter.

(b) *Definitions.* For the purposes of this section, these terms have the following meanings:

Billfish means swordfish (*Xiphias gladius*), blue marlin (*Makaira mazara*).

black marlin (*Makaira indica*), striped marlin (*Tetrapturus audax*), sailfish (*Istiophorus platypterus*), and shortbill spearfish (*Tetrapturus angustirostris*).

Closed area means that area of the EEZ in which the operator of an FFV fishing for Pacific pelagic management unit species is prohibited from fishing.

Drift gill net means a floating rectangular net with one or more layers of mesh that is set vertically in the water.

Longline gear means a type of fishing gear consisting of a main line of any length that is suspended horizontally in the water column either anchored, floating, or attached to a vessel, and from which branch or dropper lines with hooks are attached.

Mahimahi means "dolphin fishes" (*Coryphaena hippurus* and *Coryphaena equisetis*).

Non-retention zone means that area of the EEZ in which all billfish, oceanic

sharks, wahoo, and mahimahi caught by longline gear from an FFV must be returned to the sea in accordance with the requirements of paragraph (j)(4) of this section.

Northwestern Hawaiian Islands (NWHI) means the portion of the EEZ around Hawaii west of 161° W. longitude.

Oceanic sharks means sharks of the families *Carcharhinidae*, *Alopiidae*, *Sphyrnidae*, and *Lamnidae*.

Pacific pelagic management unit species has the identical meaning to the term as defined in part 685 of this chapter.

Protected species zone has the identical meaning to the term as defined in part 685 of this chapter.

Regional Director means the Director, Southwest Region, National Marine Fisheries Service, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213, telephone (310) 980-4001, or a designee.

Retention zone means that area of the EEZ in which an FFV may be used to retain Pacific pelagic management unit species to the extent that retention is authorized by this section.

Wahoo means fish of the species *Acanthocybium solandri*.

(c) **Permits.** Each FFV that fishes for Pacific pelagic management unit species in the EEZ must have a permit issued for it under § 611.3.

(j) * * *

(2) **Zones.** The FMP Management Area Group comprises the following closed areas, non-retention zones, and retention zones (unless otherwise noted, the boundaries are measured from the baseline used to measure the territorial sea) described in Table 1 of this paragraph.

TABLE 1

Management area	Closed area	Non-retention zone	Retention zone
Hawaiian Islands	(1) Within the longline fishing prohibited area around Hawaii (see 50 CFR part 685); and (2) Within the NWHI protected species zone (see 50 CFR part 685).	(1) Between the seaward boundary of the longline fishing prohibited area around Hawaii and 100 nautical miles from the Islands of Hawaii, Maui, Lanai, Kahoolawe, Molokai, Oahu, Kauai, Ni'ihau, and Kaula.	(1) Beyond 100 nautical miles from the islands of Hawaii, Maui, Lanai, Kahoolawe, Molokai, Oahu, Kauai, Ni'ihau, and Kaula; and (2) Beyond the NWHI protected species zone.
Guam	Within the longline fishing prohibited area around Guam (see 50 CFR part 685).	None	Seaward of the longline fishing prohibited area around Guam.
American Samoa	(1) Within a rectangle around the Tutuila and Manua Islands of American Samoa bounded by 14° and 15° S. latitude and 168° and 171° W. longitude; and (2) Within a 1-degree square surrounding Swain's Island bounded by 10° 33' and 11° 33' S. latitude and 170° 34' and 171° 34' W. longitude.	None	Areas of the EEZ outside the rectangle bounded by 14° and 15° S. latitude and 168° and 171° W. longitude; and (2) Areas of the EEZ outside the 1-degree square surrounding Swain's Island.
U.S. Possessions	Within 12 nautical miles from shore	None	Beyond 12 nautical miles from shore.

(3) **Effort plans.** The operator of an FFV subject to this subpart who desires to fish in the FMP Management Area Group is required to file an effort plan 2 months prior to entering the retention zones of the EEZ for fishing purposes. The effort plan must indicate the dates when fishing is expected to begin and cease and must specify the areas of the EEZ where the operator intends to use the vessel. Effort plans must be submitted to the Regional Director.

(4) **Catch restrictions.** (i) There is no limit to the amount of Pacific pelagic management unit species that may be caught by the operator of an FFV in the retention zones described in Table 1 of paragraph (j)(2) of this section.

(ii) No operator of an FFV may fish with longline gear to catch and retain Pacific billfish, oceanic sharks, mahimahi, or wahoo within the non-retention zone set out in Table 1 of paragraph (j)(2) of this section.

(iii) Unless otherwise specifically instructed by a U.S. observer or authorized officer, the operator of an FFV who has harvested billfish or oceanic shark using longline gear in the non-retention zone must release the billfish or oceanic shark by cutting the line (or by other appropriate means) without removing the fish from the water.

(iv) No operator of an FFV may fish for Pacific pelagic management unit species in the closed areas set out in Table 1 of paragraph (j)(2) of this section.

(9) **Moratorium on new longline permits for Hawaii EEZ.** No permit to fish in the EEZ around Hawaii will be issued to the operator of an FFV using longline gear during the moratorium on domestic longline permits set forth at § 685.15 of this chapter.

§ 611.81 [Amended]

6. In § 611.81, in paragraphs (j)(5)(i), (j)(5)(ii), (j)(5)(iv), (j)(6)(ii), and (j)(6)(iv), the words "management unit species" are removed and the words "Pacific pelagic management unit species" are added in their place.

PART 685—PELAGIC FISHERIES OF THE WESTERN PACIFIC REGION

1. The authority citation for part 685 continues to read as follows:

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

2. In § 685.1, paragraphs (a) and (b) are revised to read as follows:

§ 685.1 Purpose and scope.

(a) The regulations in this part govern the conservation and management of Pacific pelagic management unit species in the exclusive economic zone (EEZ) in the Pacific Ocean, excluding the

portions of the EEZ seaward of Alaska, Washington, Oregon, and California.

(e)b Regulations governing fishing for Pacific pelagic management unit species by fishing vessels other than vessels of the United States appear in 50 CFR part 611, subpart F.

3. In § 685.2, the definitions of "Associated species", "Billfish", and "Management unit species" are removed, and a new definition of "Pacific pelagic management unit species" is added in alphabetical order to read as follows:

§ 685.2 Definitions.

Pacific pelagic management unit species means the following fish:

Common name	Scientific name
Mahimahi (dolphin fish)	<i>Coryphaena</i> spp.
Martin and Speartfish	<i>Makara</i> spp.
Oceanic Sharks	<i>Tetrapturus</i> spp. Family Alopiidae Family Carcharhinidae Family Lamnidae Family Sphyrnidae
Sailfish	<i>Isiophonus platypterus</i>
Swordfish	<i>Xiphias gladius</i>
Tuna and related species	<i>Allothunnus</i> spp. <i>Alopius</i> spp. <i>Euthynnus</i> spp. <i>Gymnosarda</i> spp. <i>Katsuwonus</i> spp. <i>Scomber</i> spp. <i>Thunnus</i> spp.
Wahoo	<i>Acanthocybium solandri</i>

§ 685.4 [Amended]

4. In § 685.4, in paragraphs (b)(7), (b)(8), and (c)(9), the words "billfish, tuna, oceanic sharks, and associated fish" are removed and the words "Pacific pelagic management unit species" are added in their place.

§§ 685.5 and 685.8 [Amended]

5. In addition to the amendments set forth above, in 50 CFR part 685 remove the words "billfish or associated species" and add, in their place, the words "Pacific pelagic management unit species" in the following places:

- a. § 685.5(a) and (b); and b. § 685.8(a).

§§ 685.2, 685.4, 685.5, 685.9, 685.13, 685.15, and 685.25 [Amended]

6. In addition to the amendments set forth above, in 50 CFR part 685, remove the words "management unit species" and add, in their place, the words "Pacific pelagic management unit species" in the following places:

- a. § 685.2, in the definition of "fish dealer";
 - b. § 685.4(a);
 - c. § 685.5(d), (e), (f), (g), (n), (o), and (r);
 - d. § 685.9(a);
 - e. § 685.13;
 - f. § 685.15(a), (c)(1), and (c)(2); and
 - g. § 685.25(a)(2), (a)(3), and (a)(4).
7. Section 685.22 is revised to read as follows:

§ 685.22 Annual report.

By June 30 of each year, a plan team appointed by the Council will prepare an annual report on the domestic and foreign fisheries for Pacific pelagic management unit species in the management area.

§ 685.23 [Amended]

8. In § 685.23, remove the words "billfish and associated species" and add, in their place, the words "Pacific pelagic management unit species".

[FR Doc. 92-25887 Filed 10-26-92; 8:45 am] BILLING CODE 3510-22-M

ID. # 102192A DB
50 CFR Part 672

[Docket No. 911176-2018]

Groundfish of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.
ACTION: Prohibition of retention.

SUMMARY: NMFS is prohibiting retention of the "other rockfish" species category by operators of all vessels and sablefish by operators of vessels using trawl gear in the Central Regulatory Area of the Gulf of Alaska (GOA) and is requiring that incidental catches be treated in the same manner as prohibited species and discarded at sea with a minimum of injury. This action is necessary to prevent exceeding the total allowable catch (TAC) for the "other rockfish" species category and the share of the sablefish TAC assigned to trawl gear in this area.

EFFECTIVE DATES: Effective 12 noon, Alaska local time (A.l.t.), October 21,

1992, through 12 midnight, A.l.t., December 31, 1992.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, Resource Management Specialist, Fisheries Management Division, NMFS, 907-586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the exclusive economic zone within the GOA is managed by the Secretary of Commerce according to the Fishery Management Plan for the Groundfish Fishery of the GOA (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 672.

The final notice of specifications (57 FR 2844, January 24, 1992) established the TAC for "other rockfish" in the Central Regulatory Area as 6,510 metric tons (mt) and the share of sablefish TAC assigned to trawl gear in the Central Regulatory Area as 1,914 mt.

The Director of the Alaska Region, NMFS, has determined, in accordance with §§ 672.20(c)(3) and 672.24(c)(3)(ii), that the TAC for "other rockfish" and the share of the sablefish TAC assigned to trawl gear, respectively, in the Central Regulatory Area have been reached. Therefore, in accordance with § 672.20(e), NMFS is requiring that further catches of "other rockfish" by operators of all vessels and further catches of sablefish by operators of vessels using trawl gear in the Central Regulatory Area must be treated as prohibited species effective from 12 noon, A.l.t., October 21, 1992, through 12 midnight, A.l.t., December 31, 1992.

Classification

This action is taken under 50 CFR 672.20 and is in compliance with Executive Order 12291.

List of Subjects in 50 CFR Part 672

Fisheries, Reporting and recordkeeping requirements.

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

Dated: October 21, 1992.

Richard H. Schaefer,

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

[FR Doc. 92-25928 Filed 10-21-92; 2:31 pm]

BILLING CODE 3510-22-M