

TABLE 1.—FMPs IMPLEMENTED UNDER PART 622

FMP title	Responsible fishery management council(s)	Geographical area
FMP for Queen Conch Resources of Puerto Rico and the U.S. Virgin Islands	CFMC	Caribbean.

3. In § 622.2, the definition for “Caribbean conch resource” is added in alphabetical order to read as follows:

§ 622.2 Definitions and acronyms.

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Caribbean conch resource means one or more of the following species, or a part thereof:

- (1) Atlantic triton’s trumpet, *Charonia variegata*.
- (2) Cameo helmet, *Cassis madagascarensis*.
- (3) Caribbean helmet, *Cassis tuberosa*.
- (4) Caribbean vase, *Vasum muricatum*.
- (5) Flame helmet, *Cassis flammea*.
- (6) Green star shell, *Astrea tuber*.
- (7) Hawkwing conch, *Strombus raninus*.
- (8) Milk conch, *Strombus costatus*.
- (9) Queen conch, *Strombus gigas*.
- (10) Roostertail conch, *Strombus gallus*.
- (11) True tulip, *Fasciolaria tulipa*.
- (12) West Indian fighting conch, *Strombus pugilis*.
- (13) Whelk (West Indian top shell), *Cittarium pica*.

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4. In § 622.33, paragraph (c) is added to read as follows:

§ 622.33 Caribbean EEZ seasonal and/or area closures.

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(c) *Queen conch closure*. From July 1 through September 30, each year, no person may fish for queen conch in the Caribbean EEZ and no person may possess on board a fishing vessel a queen conch in or from the Caribbean EEZ.

5. In § 622.37, paragraph (g) is added to read as follows:

§ 622.37 Minimum sizes.

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(g) *Caribbean queen conch*—9 inches (22.9 cm) in length, that is, from the tip of the spire to the distal end of the shell, and 3/8 inch (9.5 mm) in lip width at its widest point. A queen conch with a length of at least 9 inches (22.9 cm) or a lip width of at least 3/8 inch (9.5 mm) is not undersized.

6. In § 622.38, paragraph (f) is added to read as follows:

§ 622.38 Landing fish intact.

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(f) A Caribbean conch resource in or from the Caribbean EEZ must be maintained with meat and shell intact.

7. In § 622.39, paragraph (e) is added to read as follows:

§ 622.39 Bag and possession limits.

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(e) *Caribbean queen conch*—(1) *Applicability*. Paragraph (a)(1) of this section notwithstanding, the bag limit of paragraph (e)(2) of this section does not apply to a fisherman who has a valid commercial fishing license issued by Puerto Rico or the U.S. Virgin Islands. See § 622.44 for the commercial daily trip limit.

(2) *Bag limit*. The bag limit for queen conch in or from the Caribbean EEZ is 3 per person or, if more than 4 persons are aboard, 12 per boat.

8. In § 622.41, paragraph (e) is added to read as follows:

§ 622.41 Species specific limitations.

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(e) *Caribbean queen conch*. In the Caribbean EEZ, no person may harvest queen conch by diving while using a device that provides a continuous air supply from the surface.

9. In § 622.44, paragraph (e) is added to read as follows:

§ 622.44 Commercial trip limits.

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(e) *Caribbean queen conch*. A person who fishes in the Caribbean EEZ and is not subject to the bag limit may not possess in or from the Caribbean EEZ more than 150 queen conch per day.

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50 CFR Part 648

[I.D. 091996C]

New England Fishery Management Council; Meeting

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

ACTION: Public meeting.

SUMMARY: The New England Fishery Management Council (Council) will hold a 2-day public meeting on October 2 and 3, 1996, to consider actions affecting New England fisheries in the exclusive economic zone.

DATES: The meeting will be held on Wednesday, October 2, 1996, at 10 a.m., and on Thursday, October 3, 1996, at 8:30 a.m.

ADDRESSES: The meeting will be held at the King’s Grant Inn, Route 128 and Trask Lane, Danvers, MA; telephone (508) 774–6800. Requests for special accommodations should be addressed to the New England Fishery Management Council, 5 Broadway, Saugus, MA 01906–1097; telephone: (617) 231–0422.

FOR FURTHER INFORMATION CONTACT:

Christopher B. Kellogg, Acting Executive Director, New England Fishery Management Council.

SUPPLEMENTARY INFORMATION: After introductions, the October 2 session will begin with a report by the Groundfish Committee. Issues to be considered include final action on Framework Adjustment 18 to the Northeast Multispecies Fishery Management Plan (FMP), which pertains to mid-water trawling in areas closed to groundfish fishing. Other discussion items include mobile gear night closures to protect spawning groundfish, a framework adjustment to modify the existing effort reduction measures for gillnet vessels, and an exemption for general category scallop permit holders who use small dredges and are unable to fish under the current groundfish regulations. During the Gear Conflict Committee report that will follow, the Council will discuss final action on Framework Adjustment 1, proposed to reduce gear-related disputes in the offshore waters of Southern New England. The October 2 session will conclude with a report by NMFS Chief of the Highly Migratory Species Management Division, Dr. William Hogarth, who will discuss a variety of issues related to swordfish, shark and tuna management. At that time, the Council plans to develop comments on an advanced notice of proposed rulemaking to adjust

management measures for Atlantic bluefin tuna.

The October 3 session will begin with reports from the Council Chairman, Vice Chairman, Executive Director, NMFS Regional Administrator, and representatives from the NMFS Northeast Fisheries Science Center, Atlantic States Marine Fisheries Commission, U.S. Coast Guard, and the Mid-Atlantic Fishery Management Council. The Responsible Fishing Practices Committee will present its draft comments on NMFS' proposed Code of Conduct for Responsible Fisheries. The Monkfish Committee will provide an update on the development of a public hearing document and accompanying draft Supplemental Environmental Impact Statement. The October 3 session will conclude with a status report on the reauthorization of the Magnuson Fishery Conservation and Management Act, a briefing on the recent North Atlantic Fisheries Organization meeting and a discussion of the Mid-Atlantic Fishery Management Council's proposed regulatory amendment to the Fishery Management Plan for Summer Flounder and the Scup Fishery. Any other outstanding business also will be addressed.

Abbreviated Rulemaking—Northeast Multispecies

At the recommendation of its Groundfish Committee, the Council will consider final action on Framework Adjustment 18 to the Northeast Multispecies FMP under the framework for abbreviated rulemaking procedure contained in 50 CFR 648.90. The adjustment would allow herring and mackerel fishing with pelagic mid-water trawls in areas of Georges Bank now closed to all gear capable of catching groundfish.

The Council will consider public comments at a minimum of two Council Meetings prior to making any final recommendations to the NMFS Regional Administrator under the provisions for abbreviated rulemaking cited above. If the Regional Administrator concurs with the measures proposed by the Council, he will publish them as a final rule in the Federal Register.

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Douglas G. Marshall (see ADDRESSES) at least 5 days prior to the meeting date.

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

Dated: September 20, 1996.

Gary Matlock,

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

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50 CFR Part 679

[Docket No. 960918264-6264-01; I.D. 091296A]

RIN 0648-A161

Fisheries of the Exclusive Economic Zone Off Alaska; Individual Fishing Quota Program; Sweep-up Adjustments

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS issues a proposed rule that would implement Amendment 43 to the Fishery Management Plan (FMP) for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (BSAI) and Amendment 43 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (GOA) and a regulatory amendment to the halibut individual fishing quota (IFQ) regulations. This action is necessary to increase the consolidation ("sweep-up") levels for small quota share (QS) blocks for Pacific halibut and sablefish managed under the IFQ program. This action is intended to maintain consistency with the objectives of the IFQ program (i.e., prevent excessive consolidation of QS, maintain diversity of the fishing fleet, and allow new entrants into the fishery), while increasing the program's flexibility by allowing a moderately greater amount of QS to be "swept-up" into larger amounts that can be fished more economically.

DATES: Comments must be received by November 12, 1996.

ADDRESSES: Comments must be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, 709 West 9th Street, Room 453, Juneau, AK 99801, or P.O. Box 21668, Juneau, AK 99802, Attn: Lori J. Gravel. Copies of the Environmental Assessment/Regulatory Impact Review (EA/RIR) for this action may be obtained from the above address.

FOR FURTHER INFORMATION CONTACT: John Lepore, 907-586-7228.

SUPPLEMENTARY INFORMATION:

Background Information

The U.S. groundfish fisheries of the GOA and the BSAI in the exclusive economic zone are managed by NMFS pursuant to the FMPs for groundfish in the respective management areas. The FMPs were prepared by the North Pacific Fishery Management Council (Council) pursuant to the Magnuson Fishery Conservation and Management Act (Magnuson Act) at 16 U.S.C. 1801 *et seq.*, and are implemented by regulations for the U.S. fisheries at 50 CFR part 679. The Northern Pacific Halibut Act of 1982 (Halibut Act) at 16 U.S.C. 773 *et seq.*, authorizes the Council to develop and NMFS to implement regulations to allocate halibut fishing privileges among U.S. fishermen.

Under these authorities, the Council developed the IFQ program, a limited access management system for the fixed gear Pacific halibut and sablefish fisheries. NMFS approved the IFQ program in November 1993, and fully implemented the program beginning in March 1995. The Magnuson Act and the Halibut Act authorize the Council to recommend to NMFS changes to the IFQ program as necessary to conserve and manage the fixed gear Pacific halibut and sablefish fisheries.

Rationale for Amendments 43/43

Before NMFS implemented the IFQ program, the Council recommended that all initially issued QS that resulted in less than 20,000 lb (9 metric tons (mt)) of IFQ would be "blocked," that is, issued as an inseparable unit. Further information on Amendments 31/35 (Block Amendments) can be found in the preambles to the proposed rule (59 FR 33272, June 28, 1994), and the final rule (59 FR 51135, October 7, 1994). The final rule implementing these amendments was effective prior to the beginning of the first IFQ season in 1995.

The Block Amendments created a variety of block sizes that were available for transfer. One of the primary purposes of the Block Amendments was to create small blocks of QS that could be purchased at a relatively low cost by crewmembers and new entrants to the IFQ fisheries. As the experience of these fishermen increased and the size of their fishing operations grew, larger amounts of QS were needed to accommodate this growth. One method included in the Block Amendments to accommodate this growth was the "sweep-up" provision, which allows very small blocks of QS to be permanently consolidated. The maximum sweep-up level was set at 1,000 lb (0.45 mt) for