

Council's recommended changes are published for comment. Final determinations will be made following review of all information and comments on the proposed rule.

Additional Change Proposed by NMFS

As a technical change to the regulations, NMFS proposes to alter minimally the boundary of the mutton snapper spawning aggregation area off the southwest coast of St. Croix. Fishing is prohibited in that area from March 1 through June 30, each year. The vast majority of the area is in state waters—Federal regulations apply only in the EEZ part. This change would (1) better conform the outer boundary of the area with the 100-fathom depth contour, as was intended in the FMP, as amended, (2) slightly reduce the EEZ part of the area, and (3) make the area compatible with that established in the U.S. Virgin Islands regulations.

Classification

This proposed rule has been determined to be not significant under E.O. 12866.

The Assistant General Counsel for Legislation and Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities as follows:

In the EEZ off western Puerto Rico, the proposed rule would adjust the boundaries of the existing red hind spawning aggregation seasonal/area closure and add two additional red hind spawning aggregation seasonal/area closures. The intended effect is to protect red hind spawning aggregations by prohibiting all fishing in these areas during the spawning season.

The commercial red hind fishery is composed entirely of small businesses that could be affected by the management measures contained in the proposed rule. Based on a 1988 survey, there are approximately 882 commercial fishing vessels operating off Puerto Rico. An estimated 161 (or about 18 percent) have homeports near the proposed closed areas; many of these vessels have access to other fishing grounds and do not fish for red hind. Therefore, the proposed regulatory amendment is not expected to affect a substantial number of small entities. Those businesses that will be affected by the proposed rule are involved in the harvest of a wide variety of species, in addition to red hind; red hind catches account for only 1.3 percent of the annual fishery value in Puerto Rico. Furthermore, red hind catches will be affected in only some of the spawning areas for 3 months per year, and the effect on annual gross revenues will be considerably less than 5 percent. Hence, there is not expected to be a significant economic impact

on a substantial number of small entities and a regulatory flexibility analysis was not prepared.

List of Subjects in 50 CFR Part 622

Fisheries, Fishing, Puerto Rico, Reporting and recordkeeping requirements, Virgin Islands.

Dated: October 18, 1996.

Gary C. Matlock,

*Acting Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

For the reasons set out in the preamble, 50 CFR part 622 is proposed to be amended as follows:

PART 622—FISHERIES OF THE CARIBBEAN, GULF, AND SOUTH ATLANTIC

1. The authority citation for part 622 continues to read as follows:

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

2. In § 622.33, paragraph (a), paragraph (b) introductory text, and paragraph (b)(3) are revised to read as follows:

§ 622.33 Caribbean EEZ seasonal and/or area closures.

(a) *Mutton snapper spawning aggregation area.* From March 1 through June 30, each year, fishing is prohibited in that part of the following area that is in the EEZ. The area is bounded by rhumb lines connecting, in order, the points listed.

Point	North lat.	West long.
A	17°37.8'	64°53.0'
B	17°39.0'	64°53.0'
C	17°39.0'	64°50.5'
D	17°38.1'	64°50.5'
E	17°37.8'	64°52.5'
A	17°37.8'	64°53.0'

(b) *Red hind spawning aggregation areas.* From December 1 through February 28, each year, fishing is prohibited in those parts of the following areas that are in the EEZ. Each area is bounded by rhumb lines connecting, in order, the points listed.

* * * * *

(3) *West of Puerto Rico.*
(i) *Bajo de Cico*

Point	North lat.	West long.
A	18°15.7'	67°26.4'
B	18°15.7'	67°23.2'
C	18°12.7'	67°23.4'
D	18°12.7'	67°26.4'
A	18°15.7'	67°26.4'

(ii) *Tourmaline Bank*

Point	North lat.	West long.
A	18°11.2'	67°22.4'

Point	North lat.	West long.
B	18°11.2'	67°19.2'
C	18°08.2'	67°19.2'
D	18°08.2'	67°22.4'
A	18°11.2'	67°22.4'

(iii) *Abrir La Sierra Bank*

Point	North lat.	West long.
A	18°06.5'	67°26.9'
B	18°06.5'	67°23.9'
C	18°03.5'	67°23.9'
D	18°03.5'	67°26.9'
A	18°06.5'	67°26.9'

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50 CFR Part 622

[I.D. 101796C]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 14

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

ACTION: Notice of availability of an amendment to a fishery management plan; request for comments.

SUMMARY: NMFS announces that the Gulf of Mexico Fishery Management Council has submitted Amendment 14 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico for review, approval, and implementation by NMFS. Written comments are requested from the public.

DATES: Written comments must be received on or before December 23, 1996.

ADDRESSES: Comments must be mailed to the Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

Requests for copies of Amendment 14, which includes an environmental assessment, a regulatory impact review, and an initial regulatory flexibility analysis, should be sent to the Gulf of Mexico Fishery Management Council, 5401 West Kennedy Boulevard, Suite 331, Tampa, FL 33609, PHONE: 813-228-2815; FAX: 813-225-7015.

FOR FURTHER INFORMATION CONTACT: Robert Sadler, 813-570-5305.

SUPPLEMENTARY INFORMATION: The Magnuson Fishery Conservation and Management Act requires that a Council-prepared amendment to a fishery management plan be submitted

to NMFS for review and approval, disapproval, or partial disapproval.

Amendment 14 would: Prohibit the use or possession of fish traps in the exclusive economic zone (EEZ) of the Gulf of Mexico (Gulf) west of 85°30' W. long.; modify the procedure for retrieval of fish traps when a breakdown prevents a vessel with a trap endorsement from retrieving its traps; phase out the use of fish traps in the EEZ of the Gulf over a 10-year period; modify the restrictions on transfer of fish trap endorsements; modify the restrictions on transfer of reef fish permits; prohibit the harvest or possession of Nassau grouper in or from the EEZ of the Gulf of Mexico; and authorize the Regional Administrator, Southeast Region, NMFS, to reopen a prematurely closed fishery to ensure that a commercial fishery quota or recreational fishery allocation is attained.

Proposed regulations to implement Amendment 14 are scheduled for publication within 15 days.

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

Dated: October 21, 1996.

Bruce C. Morehead,

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

[FR Doc. 96-27337 Filed 10-21-96; 2:19 pm]

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