

Multispecies FMP governing framework modifications to management measures. The Council requested publication of the management measures as a final rule after considering the required factors set forth at §§ 650.40(d) and 651.40(d).

Public Comment

The framework adjustments were developed and analyzed at Council meetings on March 29 and May 18, 1995. The Council provided the public with advance notice of both the proposed change to the line and the reasons for the change, and the opportunity to comment on them prior to and at the Council meetings.

One comment was received at the March 29, 1995, meeting regarding two coordinates off the coast of Maine. The commenter believed the coordinates would allow excessive groundfishing inside the demarcation line in down-east Maine. The Council concurred and revised the two coordinates and added a third, so that the line is drawn closer to shore. No comments were received at the May 18, 1995, meeting.

NMFS concurs with the framework adjustments because the replacement of the COLREGS line with the VTSDL will enhance the ability to monitor and enforce the DAS programs, thus providing immediate and increased protection for the scallop and multispecies resources.

Classification

The Assistant Administrator for Fisheries, NOAA (AA), finds there is

good cause to waive prior notice and opportunity for comments under 5 U.S.C. 553(b)(B). Public meetings held by the Council to discuss the management measures of Framework Adjustment 6 to the Scallop FMP and Framework Adjustment 11 to the Multispecies FMP provided adequate prior notice and opportunity for public comment to be made and considered, making additional prior notice and opportunity for public comment unnecessary.

Because no proposed rule is required, this action is exempt from the requirements to prepare an IRFA under the Regulatory Flexibility Act. As a result, a regulatory flexibility analysis was not prepared.

This final rule has been determined to be not significant for purposes of E.O. 12866.

List of Subjects

50 CFR Part 650

Fisheries, Reporting and recordkeeping requirements.

50 CFR Part 651

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: June 29, 1995.

Gary Matlock,

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

For the reasons set out in the preamble, 50 CFR parts 650 and 651 are amended as follows:

PART 650—ATLANTIC SEA SCALLOP FISHERY

1. The authority citation for part 650 continues to read as follows:

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

§ 650.2 [Amended]

2. In § 650.2, the definition of “COLREGS Demarcation Lines” is removed.

3. In § 650.24, existing paragraph (c)(2)(ii) is redesignated as paragraph (c)(2)(iii); a new paragraph (c)(2)(ii) is added; and paragraph (c)(2)(i) is revised to read as follows:

§ 650.24 Days-at-sea (DAS) allocations.

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(c) * * *

(2) * * *

(i) DAS for vessels that are under the VTS monitoring system described in § 650.26(a) are counted beginning with the first hourly location signal received showing that the vessel crossed the Vessel Tracking System Demarcation Line leaving port and ending with the first hourly location signal received showing that the vessel crossed the Vessel Tracking System Demarcation Line upon its return to port.

(ii) *Vessel Tracking System Demarcation Line.* The Vessel Tracking System Demarcation Line is defined by straight lines connecting the following points in the order stated (See Figures 3 and 4 to part 650):

VESSEL TRACKING SYSTEM DEMARCATION LINE

Description	Longitude	Latitude
1. Northern terminus point (Canada land mass)	45°03' N.	66°47' W.
2. A point east of West Quoddy Head Light	44°48.9' N.	66°56.1' W.
3. A point east of Little River Light	44°39.0' N.	67°10.5' W.
4. Whistle Buoy “8BI” (SSE of Baker Island)	44°13.6' N.	68°10.8' W.
5. Isle au Haut Light	44°03.9' N.	68°39.1' W.
6. Pemaquid Point Light	43°50.2' N.	69°30.4' W.
7. A point west of Halfway Rock	43°38.0' N.	70°05.0' W.
8. A point east of Cape Neddick Light	43°09.9' N.	70°34.5' W.
9. Merrimack River Entrance “MR” Whistle Buoy	42°48.6' N.	70°47.1' W.
10. Halibut Point Gong Buoy “1AHP”	42°42.0' N.	70°37.5' W.
11. Connecting reference point	42°40' N.	70°30' W.
12. Whistle Buoy “2” off Eastern Point	42°34.3' N.	70°39.8' W.
13. The Graves Light (Boston)	42°21.9' N.	70°52.2' W.
14. Minots Ledge Light	42°16.2' N.	70°45.6' W.
15. Farnham Rock Lighted Bell Buoy	42°05.6' N.	70°36.5' W.
16. Cape Cod Canal Bell Buoy “CC”	41°48.9' N.	70°27.7' W.
17. A point inside Cape Cod Bay	41°48.9' N.	70°05' W.
18. Race Point Lighted Bell Buoy “RP”	42°04.9' N.	70°16.8' W.
19. Peaked Hill Bar Whistle Buoy “2PH”	42°07.0' N.	70°06.2' W.
20. Connecting point, off Nauset Light	41°50' N.	69°53' W.
21. A point south of Chatham “C” Whistle Buoy	41°38' N.	69°55.2' W.
22. A point in eastern Vineyard Sound	41°30' N.	70°33' W.
23. A point east of Martha’s Vineyard	41°22.2' N.	70°24.6' W.
24. A point east of Great Pt. Light, Nantucket	41°23.4' N.	69°57' W.
25. A point SE of Sankaty Head, Nantucket	41°13' N.	69°57' W.
26. A point west of Nantucket	41°15.6' N.	70°25.2' W.
27. Squibnocket Lighted Bell Buoy “1”	41°15.7' N.	70°46.3' W.