

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 672 and 675

[Docket No. 950727194-5194-01; I.D. 062795C]

RIN 0648-AG54

Groundfish of the Gulf of Alaska; Groundfish Fishery of the Bering Sea and Aleutian Islands Area; Consolidate Recordkeeping and Reporting Requirements

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes to remove and to consolidate several sections of regulations in parts 672 and 675; to simplify and streamline the remaining regulations, including the recordkeeping and reporting requirements; to consolidate area descriptions and coordinates into maps and tables; to consolidate codes, values, and descriptions into tables; and to correct errors and clarify vague text. These actions are intended to facilitate management of the groundfish fisheries and the enforcement of groundfish regulations. They are necessary to promote the goals and objectives of the Fishery Management Plans (FMPs) for Groundfish of the Gulf of Alaska (GOA) and the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (BSAI).

DATES: Comments must be received on or before October 10, 1995.

ADDRESSES: Comments may be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori J. Gravel, or be delivered to Federal Building, Fourth Floor, 709 West 9th Street, Juneau, AK. Comments on the collection-of-information requirements may be sent to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB) (0648-AG54), Washington, DC 20503 (Attn: NOAA Desk Officer), and to Patsy A. Bearden, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802.

FOR FURTHER INFORMATION CONTACT: Patsy A. Bearden, 907-586-7228.

SUPPLEMENTARY INFORMATION: Fishing for groundfish by U.S. vessels in the exclusive economic zone (EEZ) of the BSAI and the GOA is managed by

NMFS according to the FMPs for Groundfish of the Gulf of Alaska and the Groundfish Fishery of the Bering Sea Aleutian Islands Area. The FMPs were prepared by the North Pacific Fishery Management Council (Council) under the Magnuson Fishery Conservation and Management Act (Magnuson Act) and are implemented by regulations governing the U.S. groundfish fisheries at 50 CFR parts 672 and 675. General regulations that also pertain to the U.S. fisheries appear at 50 CFR part 620.

This action proposes amendments to regulations as follows: (1) Consolidate § 675.2 into § 672.2; § 675.3 into § 672.3; § 675.4 into § 672.4; and § 675.5 into § 672.5; (2) remove the requirement for the groundfish utilization survey at § 672.5(d) and (e) and other outdated requirements; (3) update and replace §§ 672.2, 672.3, 672.4 (including the Federal Fisheries Permit Application), and 672.5 (including logbooks, reports, and forms); (4) amend §§ 672.7, 675.27, and § 677.4; (5) revise the scientific term for steelhead trout at §§ 672.20(e)(1) and 675.20(c)(1); (6) place all tables and figures currently found in part 675 in part 672, revised and renumbered, and add new tables and figures; (7) revise and insert references to tables and figures within the text of parts 672 and 675; (8) revise and insert paragraph titles to several paragraphs in parts 672 and 675; (9) revise the time citation "00:01 a.m." to read "0001 hours" in §§ 672.20(a), 675.20(a), 672.23(f), and 675.23(d); (10) revise GOA reporting area codes from 61, 62, 63, 64, 65 to read 610, 620, 630, 640, and 650; (11) revise and insert references to GOA reporting areas; (12) add new GOA reporting area codes 300, 400, and 550; (13) place all reporting area codes and coordinates in maps and tables; and (14) divide most reporting areas into Alaska state waters and Federal waters for reporting purposes. A description of, and reasons for, these actions follow.

I. Consolidation of Regulations

Although the GOA and BSAI have separate FMPs, much of the regulatory text for the two management areas is the same. NMFS proposes to remove duplicate text that is found also in part 672 (GOA management area) from several sections of part 675 (BSAI management area) and to replace the removed text with a cross reference to part 672. This action will shorten the regulations as well as simplify and clarify the text. Those sections affected would be: Section 675.2 into § 672.2 (Definitions); § 675.3 into § 672.3 (Relation to other laws); § 675.4 into

§ 672.4 (Permits); and § 675.5 into § 672.5 (Recordkeeping and reporting).

II. Removal of Existing Regulations

NMFS would remove outdated regulations that no longer apply to the groundfish fisheries. This action would shorten the regulatory text and create a simpler, more pertinent body of regulations.

A. Groundfish Utilization Surveys

NMFS proposes to remove regulations at § 672.5(d) and (e) that require completion of an annual groundfish utilization survey. The original purpose of the survey was to estimate domestic annual processing (DAP) groundfish utilization each year for purposes of allocating groundfish among foreign fishing, DAP, and joint-venture processing (JVP) operations. Since 1990, the groundfish fisheries have been fully domesticated, and foreign fishing and JVP operations have been discontinued. Groundfish utilization surveys are no longer needed. The time spent on the labor-intensive surveys by industry provides no useful guidance for annual projections of DAP harvest and production activity.

B. Text Within 675.27(g)

NMFS proposes to remove regulations at § 675.27(g), regarding the Western Alaska Community Development Program, Community Development Quota (CDQ) requirements, that are entitled "CDQ fishing requirements," since these regulations are found in recordkeeping and reporting requirements at § 672.5.

C. Logbooks

1. *Duration of Set or Trawl.* NMFS proposes to remove recordkeeping and reporting requirements at § 672.5 for Catcher Vessels and Catcher/Processors to record duration of set or trawl in the Catcher Vessel Daily Fishing Logbook (DFL) and Catcher/Processor Daily Cumulative Production Logbook (DCPL), respectively. This information can be obtained from the logbook through calculations of start and end times.

2. *Joint-venture Operation.* The requirement to record in a DFL whether delivery by a Catcher Vessel was made to a foreign processor vessel in a joint-venture operation would be removed, since joint-venture operations for groundfish no longer occur in the EEZ off Alaska.

3. *Number of Days Fishing Activity.* The requirement to record the number of days that fishing activity was conducted and when fish were received would be removed from the weekly