Section 651.20(b)(2)(ii) and (c)(2)(ii) both make reference to paragraphs (f) and (g). These references are corrected to read paragraphs (e) and (f), respectively, which are the midwater trawl gear and the purse seine gear exceptions.

The net stowage requirements at § 651.20(c)(4) are directed at fishing in southern New England or the mid-Atlantic, but the stowage requirements also apply to sink gillnet vessels transitting areas closed to sink gillnets and to vessels participating in the Cultivator Shoals Whiting Fishery when transitting the Gulf of Maine/Georges Bank regulated mesh area. References to specific geographic areas are removed from net stowage requirements. Corrections to § 651.20 will be effective beginning June 11, 1995, because the emergency action published on December 12, 1994, has temporarily suspended portions of this section.

Section 651.22(c)(1)(i)(B) is corrected by removing the reference to the 500-lb (226.8-kg) possession limit, which was changed with Framework Adjustment 3 to the FMP (59 FR 36725, July 19, 1994).

A technical amendment to § 651.22(d)(1)(i)(C) clarifies that in order to be eligible for the small-boat exemption (for vessels 45 ft (13.7 m) or less), a vessel owner must provide documentation that accurately states the vessel's length overall. This is intended to remove the confusion as to when U.S. Coast Guard documentation will be accepted as verification of a vessel's length.

In § 651.23(c), the reference to paragraph (c) is corrected to read paragraph (d).

Classification

Because this rule only corrects omissions and other errors or makes clarifications of intent to an existing set of regulations for which full prior notice and opportunity for comment have been given, under 5 U.S.C. 553(b)(B), it is unnecessary to provide prior notice and opportunity for comment.

This rule imposes no new requirements on anyone subject to these regulations, and many provisions remove or relieve restrictions. Accordingly, under 5 U.S.C. 553(d), the rule is effective immediately except for sections 651.9(e)(36), 651.20(b)(2)(ii), 651.20(c)(2)(ii), and 651.20(c)(4) introductory text, which will be effective beginning June 11, 1995.

This rule is exempt from review under E.O. 12866.

List of Subjects in 50 CFR Part 651

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: January 26, 1995.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 651 is amended as follows:

PART 651—NORTHEAST **MULTISPECIES FISHERY**

1. The authority citation for part 651 continues to read as follows:

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

2. Section 651.2, the definition for "sink gillnet" is revised to read as follows:

§ 651.2 Definitions.

Sink gillnet means a bottom-tending gillnet, which is any gillnet, anchored or otherwise, that is designed to be, is capable of being, or is fished on or near the bottom in the lower third of the water column.

*

3. Section 651.4(f)(2)(iv), is revised to read as follows:

§651.4 Vessel permits.

(f) * * * (2) * * *

(iv) In 1994, vessel owners may change their vessel's DAS category within 30 days of receipt of their 1994 multispecies permit. After 30 days, the vessel must fish only in the DAS program assigned for the remainder of the fishing year. In 1995, if the vessel owner is applying to fish under a different DAS program than was assigned for 1994, the application must include such election and the vessel must fish only in that category for the entire fishing year.

4. Section 651.5(a) is revised to read as follows:

§651.5 Operator permits.

(a) General. Any operator of a vessel that has been issued a valid Federal multispecies permit under this part, or any operator of a vessel fishing for multispecies finfish in the EEZ or in possession of multispecies finfish in or harvested from the EEZ, must carry on board a valid operator's permit issued under this part. This requirement does not apply to recreational vessels and vessels that fish exclusively in state waters for multispecies.

5. In §651.9, paragraph (b)(1) is revised, and paragraph (b)(11) is added to read as follows:

§651.9 Prohibitions.

*

(b) * * *

(1) Possess at any time during a trip, or land per trip, more than the possession limit of regulated species as specified in § 651.27(a), after using the vessel's annual DAS allocation or when not participating under the DAS program pursuant to § 651.22.

(11) Fail to comply with the layover day requirement as described in § 651.22(c)(1)(ii)(A).

6. Effective June 11, 1995, in § 651.9, paragraph (e)(36) is added to read as follows:

§651.9 Prohibitions.

*

(e) * * *

(36) Obstruct or constrict a net as described in § 651.20(h)(1) and (2).

7. Effective June 11, 1995, § 651.20 is amended by removing the words 'paragraphs (f) and (g)" from the first sentences of paragraphs (b)(2)(ii) and (c)(2)(ii) and adding in their places the words "paragraphs (e) and (f)", and by revising paragraph (c)(4) introductory text to read as follows:

§651.20 Regulated mesh areas and restrictions on gear and methods of fishing.

*

(c) * * *

(4) Net stowage requirements. A net that is stowed and is not available for immediate use conforms to one of the following specifications:

8. In § 651.22, paragraphs (c)(1)(i)(B) and (d)(1)(i)(C) are revised to read as

§ 651.22 Effort-control program for limited access vessels.

* (c) * * *

(1) * * *

(i) * * *

(B) During each period of time declared, the applicable vessel may not possess more than the possession limit of regulated species as specified in § 651.27(a).

*

(d) * * *

(1) * * *

(i) * * *

(C) The measurement of length overall must be verified using documentation that accurately states length overall as described in paragraph (c)(1)(i)(A) of this section. Acceptable documentation includes U.S. Coast Guard