

STATUS OF COUNCIL TASKING

JANUARY 13, 1993

<u>ACTION</u>	<u>STATUS</u>	<u>TASKING</u>
REPORTS		
1. Rockfish management	Report in Jan	Center/Region/ADFG/Council
2. Scallop management	Report in Jan	ADFG/Council
3. Crab management	Report in Jan	Region/ADFG/Council
4. Trawl mesh regulations	Report in Jan	Council
REGULATORY AMENDMENTS		
1. Insh-offsh/CDQ bycatch	PR in preparation	Council/Region
2. Performance pelagic trawls	PR in WDC NMFS developing ER	Region
3. 1993 Rept/record requirements	Being developed by NMFS	Region
4. Observer requirements 1993	PR in preparation	Region/Council
5. Require offloading of PSC species caught beyond EEZ	Proposed rule under review in WDC	Region/Center
6. Standard PRRs	Proposed rule to FR in Sept	Region
7. Pollock roe-stripping PRR	PR pending publication	Region
8. Gangion-cutting/careful release	PR in preparation ER in preparation	Region
9. Hook & line fair start	Final action in Sept Comment on PR in Jan	Region
10. Define legal gear types	Final action in Jan	Region
11. Rockfish directed fishing standards	Initial review in Jan	Region/Council
12. Prohibit landing of undersized halibut from beyond EEZ	Dropped for legal reasons	

ACTION**STATUS****TASKING****PLAN AMENDMENTS**

1. Moratorium	Submit to SOC Review in February	Council/Region
2. Bycatch rate std 1993	Published in Jan for 1st half of 1993	Region
3. Sablefish/Halibut IFQs	Secretarial decision in Jan	Council/Region
4. NPFR Plan	Submit to SOC Review in Feb	Council/Region/Center
5. GOA-26 King crab closures/	Final rule effective Dec 17	Council/Region/Center
6. BSAI-21 trawl & fixed gear halibut PSC & pot exemptions from PSC	PR comment period ends on Jan 19	Council/Region/Center
7. Trawl test zones A 22/27	Final rule in WDC	Region
8. Pref allocations of cod	Initial review in Apr Report in Jan	Center
9. Seasonal allocations of cod	Initial review in Apr Report in Jan	No assignment
10. Opilio OY	Discuss review in Jan	Crab team
11. Pribilof closures	Initial review in Apr	ADFG
12. Salmon bycatch	Initial review in Jan	ADFG
13. B season delay/excl reg area	PR in preparation	Council/Region
14. Sitka block/Hegge block 1000 pd floor	Discuss in Jan	State/Council
15. Comprehensive Rational Plan	Discuss review in Jan	Council
16. Delay 2nd quarter GOA pollock season	Comment on PR in Jan	Region
17. Subdivide Aleutians Mgmt Area	Final review in Jan	Center/Council
18. Establish Atka mackerel as separate species in GOA	Initial review in Apr	Center/Region/Council

ACTION

STATUS

TASKING

19. Rockfish rebuilding Amendment Initial review in Apr Center/Region/Council

OTHER ACTIONS

1. June 24, 1992 control date FR notice to WDC in Oct Region

2. Final groundfish specs for
1993 (including EA) File in Feb Region

NEWS RELEASE (93-)
Steven Pennoyer
907-586-7221

January 15, 1993
1530 p.m.
For Immediate Release

TRAWL GEAR TESTING AREAS HAVE BEEN APPROVED

Two areas in the Gulf of Alaska (GOA) and one area in the Bering Sea and Aleutian Islands Area (BSAI) have been approved for pelagic and bottom trawl gear testing when the GOA or BSAI would otherwise be closed to trawling. Each of these three trawl test areas are bounded by straight lines connecting the following coordinates in the order listed:

GULF OF ALASKA - KODIAK

W. longitude	N. latitude
152 deg 02 min	57 deg 37 min
151 deg 25 min	57 deg 37 min
151 deg 25 min	57 deg 23 min
152 deg 02 min	57 deg 23 min
152 deg 02 min	57 deg 37 min

GULF OF ALASKA - SAND POINT

W. longitude	N. latitude
161 deg 00 min	54 deg 50 min
160 deg 30 min	54 deg 50 min
160 deg 30 min	54 deg 35 min
161 deg 00 min	54 deg 35 min
161 deg 00 min	54 deg 50 min

BERING SEA AND ALEUTIAN ISLANDS AREA

W. longitude	N. latitude
167 deg 00 min	55 deg 00 min
166 deg 00 min	55 deg 00 min
166 deg 00 min	54 deg 40 min
167 deg 00 min	54 deg 40 min
167 deg 00 min	55 deg 00 min

The following conditions apply while using a trawl test area when that management area would otherwise be closed to trawling:

- 1) The cod-end shall be unzipped;
- 2) Groundfish shall not be retained on board the vessel; and
- 3) The time observers are on board vessels during trawl gear testing shall not contribute towards observer coverage requirements.

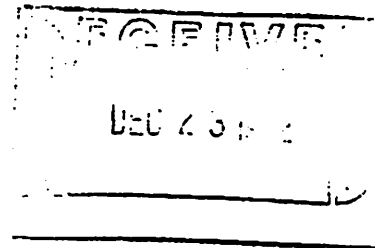
This news release summarizes regulatory requirements and is for informational purposes only. For more information concerning regulatory requirements, consult the applicable regulations or contact the Fisheries Management Division, NMFS, 907-586-7228.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

AGENDA B-2
JANUARY 1993
Supplemental

December 17, 1992



Mr. Richard B. Lauber, Chairman
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 99510

Dear Rick,

This letter is to notify you of my decision to approve Amendment 26 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP). The North Pacific Fishery Management Council (Council) recommended that this amendment be submitted for Secretarial review and approval during its June 1992 meeting. Under Amendment 26, FMP authority is extended beyond 1992 that allows the implementation of non-pelagic trawl gear closures around Kodiak Island to protect crab habitat. This authority was scheduled to expire at the end of 1992 under Amendment 18 to the FMP. Amendment 26 is necessary to continue to protect the habitat of depressed stocks of red king crab and Tanner crab in the Kodiak Islands area and is intended to promote the recovery of these crab stocks.

The Enforcement Division of National Marine Fisheries Service and the U.S. Coast Guard have commented that the Council should consider an amendment to the FMP that would authorize the closure of the Kodiak Island areas specified under Amendment 26 to all vessels using trawl gear. This action would enable more effective monitoring and enforcement of the time/area closures authorized under Amendment 26 and more fully meet the Council's intent to protect crab habitat.

Sincerely,

Steven Pennoyer
Director, Alaska Region



Richard B. Felder, (202) 927-5610 [TDD for hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION: The Commission adopted final rules governing car hire rates in a decision served and published in the Federal Register on November 10, 1992, at 57 FR 53450. That decision became effective December 10, 1992. It provided that the rules will become effective January 1, 1993. Based on petitions for reconsideration that were filed, the Commission has revised §§ 1033.1(a)(3) and 1033.1(b)(1) of the new rules. The revisions were made so that new cars and cars rebuilt since January 1, 1991, would be treated similarly. The final rules, including the revisions to these sections, will still become effective January 1, 1993.

Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Dynamic Concepts, Inc., Room 2229, Interstate Commerce Commission Building, Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Regulatory Flexibility Analysis

The Commission certified in its decision served November 10, 1992, that its action will not have a significant impact on a substantial number of small entities. The Petitions for Reconsideration did not challenge that certification, and the revisions of the rules adopted on reconsideration affect only two sections. As treating recently rebuilt cars and recently purchased cars similarly will not have a material effect on small purchased cars similarly will not have a material effect on small entities, the Commission certifies that its action will not have a significant impact on a substantial number of small entities.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

List of Subjects

49 CFR Part 1033

Railroads.

49 CFR Part 1039

Agricultural commodities, Intermodal transportation, Railroads.

Decided: December 21, 1992.

By the Commission, Chairman Philbin, Vice Chairman McDonald, Commissioners Simmons and Phillips. Vice Chairman

McDonald and Commissioner Simmons would have granted the stay.
Sidney L. Strickland, Jr.,
Secretary.

For the reasons set forth in the preamble, title 49, chapter X, part 1033 of the Code of Federal Regulations is amended as follows:

PART 1033—CAR SERVICE

1. The authority citation for Part 1033 continues to read as follows:

Authority: 49 U.S.C. 10321, 10326, 11121, and 11122; 5 U.S.C. 553.

2. In section 1033.1 Paragraphs (a)(3) and (b)(1) are revised to read as follows:

§ 1033.1 Car hire rates.

(a) * * *

(3) *Fixed rate car.* Any car placed in service or rebuilt prior to January 1, 1991 or for which there was a written and binding contract to purchase, rebuild, or build prior to July 1, 1990, regardless of whether such car bore railroad reporting marks prior to January 1, 1991. Cars purchased or rebuilt on or after January 1, 1991, or under contract after July 1, 1990, will be deemed to be market rate cars. Provided, however, that for a period of one year from January 1, 1993, all cars shall be deemed to be fixed rate cars.

* * * * *

(b) * * *

(1) Except as provided in paragraph (b)(3) of this section, for a 10-year period beginning January 1, 1993, the prescribed rates shall continue to apply to fixed rate cars without regard to the aging of such cars subsequent to December 31, 1990.

* * * * *

[FR Doc. 92-31417 Filed 12-24-92; 8:45 am]
BILLING CODE 7035-01-M

49 CFR Part 1180

[Ex Parte No. 282 (Sub-No. 12)]

Transfer or Operation of Lines of Railroads in Reorganization

AGENCY: Interstate Commerce Commission.

ACTION: Final rule; correction.

SUMMARY: On December 3, 1992 at 57 FR 57112 the Commission amended the procedures to be followed in allowing transfers or operations of lines of bankrupt rail carriers under bankruptcy reorganization. A revision is necessary to show the correct wording of one of the sentences adopted in this proceeding.

EFFECTIVE DATE: January 4, 1993.

FOR FURTHER INFORMATION CONTACT: Joseph Levin, (202) 927-6287 [TDD for hearing impaired: (202) 927-5721].

SUPPLEMENTARY INFORMATION:

List of Subjects in 49 CFR Part 1180

Railroads.

For the reasons set forth in the preamble, title 49, chapter X, part 1180 of the Code of Federal Regulations amended on December 3, 1992 at 57 FR 57112 is amended as follows:

PART 1180—RAILROAD ACQUISITION, CONTROL, MERGER, CONSOLIDATION PROJECT, TRACKAGE RIGHTS, AND LEASE PROCEDURES

1. The authority citation for part 1180 continues to read as follows:

Authority: 49 U.S.C. 10321, 10505, 11341, 11343-11346; 5 U.S.C. 553 and 559; and 11 U.S.C. 1172.

§ 1180.20 [Corrected]

2. In § 1180.20, paragraph (c), the second sentence is corrected by removing the word "different" and adding in its place the word "greater".

Sidney L. Strickland, Jr.,
Secretary.

[FR Doc. 92-31418 Filed 12-24-92; 8:45 am]
BILLING CODE 7035-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration (NOAA)

50 CFR Part 672

Groundfish of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Approval of a fishery management plan amendment.

SUMMARY: NMFS announces the approval of Amendment 26 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP). The amendment continues the authorization of time/area closures around Kodiak Island to protect king and Tanner crab habitat areas. The action is intended to promote the recovery of these crab stocks and further the goals and objectives of the FMP that governs fishing for Gulf of Alaska groundfish.

ADDRESSES: Copies of the environmental assessment may be obtained from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510 (907-271-2809).

SUPPLEMENTARY INFORMATION: During its June 23-28, 1992, meeting, the North

Pacific Fishery Management Council (Council) recommended Amendment 26 for review by the Secretary of Commerce (Secretary) under section 304(b) of the Magnuson Fishery Conservation and Management Act (Magnuson Act). A notice of availability of Amendment 26 was published in the Federal Register on September 25, 1992 (57 FR 44355). It invited review of, and comment on, the amendment until November 20, 1992. A full description of these time/area closures and their justification was published on October 15, 1992 (57 FR 47321).

Response to Comments

Two letters of comment were received during the comment period. Comments are summarized and responded to below.

Comment 1: Regulations implementing Amendment 26 and its predecessor, Amendment 18, exemplify a wise approach to the conservation of the crab resource without unnecessarily impacting commercial fishing operations.

Response: NMFS notes this comment.

Comment 2: NMFS invited comment on the enforcement concerns about aerial monitoring of the time/area closures to non-pelagic trawl gear when pelagic trawl gear could still be deployed in the closed areas. These concerns are unfounded in the Gulf of Alaska (GOA). Pollock is the only pelagic trawl fishery in the GOA. All other groundfish trawl fisheries are prosecuted with non-pelagic trawl gear. Additionally, all non-pelagic groundfish fisheries are restricted by a single halibut bycatch limit that is apportioned into seasonal allowances. When a

seasonal allowance is reached, the GOA is closed to directed fishing for groundfish by vessels using trawl gear, except that fishing for pollock with pelagic trawl gear may continue when directed fishing for pollock is open. The only time pelagic and non-pelagic trawl gear operations simultaneously occur in the GOA is when directed fisheries for pollock and other groundfish are both open. The trawl fleet normally fishes for pollock at the beginning of each quarterly reporting period when quarterly apportionments of the annual pollock quota become available. Quarterly apportionments are harvested within a short time period and the trawl fleet typically shifts to other groundfish species during the remainder of the quarter. Therefore, monitoring of the non-pelagic trawl gear closures around Kodiak Island may only be complicated during the seasonal openings of the pollock fishery. NMFS enforcement need not resort to aerial monitoring in this case, but could simply confirm a vessel's participation in the pelagic trawl pollock fishery by checking observer reports, landings documents, or vessel logbooks.

Response: NMFS concurs that enforcement of the Kodiak Island closures to trawl gear other than pelagic trawl gear is possible. However, aerial surveillance of areas closed to specified gear types is the most effective and least costly and intrusive means to monitor such closures. NMFS may pursue an FMP amendment in the future that would prohibit the deployment of all trawl gear in the Kodiak Island time/area closures implemented under Amendment 26.

Comment 3: Fisheries enforcement would be enhanced if the time/area closures implemented under Amendment 26 applied to all trawl operations. Allowing only pelagic trawls in the closed areas renders aerial enforcement ineffective. As a result, enforcement of these closures will continue to require air/sea coordination to board and verify whether pelagic or non-pelagic trawl gear activity is occurring. The U.S. Coast Guard does not object to the regulations implementing Amendment 26 because they continue current practices and minimize impacts on pelagic trawl fisheries in the Kodiak Island area.

Response: NMFS notes this comment. Also, see response to Comment 2.

Amendment 26 authorizes time/area closures around Kodiak Island to protect sensitive king and Tanner habitat areas from on-bottom trawl operations by continuing the effectiveness of such closures that were authorized under Amendment 18 to the FMP (54 FR 50386, December 6, 1989) and for which authorization would have expired on December 31, 1992. Section 672.24 (d)(1) and (d)(3), in 50 CFR part 672 currently implement Amendment 26.

The Secretary has determined that Amendment 26 is consistent with the Magnuson Act and other applicable laws as authorized under section 304 of the Magnuson Act.

Dated: December 17, 1992.

William W. Fox, Jr.,

Assistant Administrator for Fisheries,
National Marine Fisheries Service.

[FR Doc. 92-31127 Filed 12-23-92; 8:45 am]

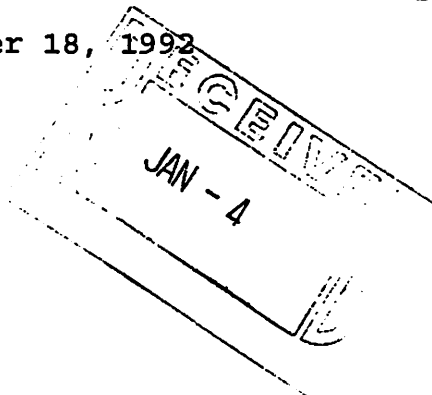
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AGENDA B-2
JANUARY 1993
Supplemental

December 18, 1992




Mr. Richard B. Lauber, Chairman
North Pacific Fishery Management Council
P.O. Box 103136
Anchorage, Alaska 99510

Dear Richard:

This letter is to notify you of my decision to approve Amendment 22 to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area and Amendment 27 to the Fishery Management Plan for Groundfish of the Gulf of Alaska. These Amendments authorize regulations establishing areas where specific types of fishing gear may be tested when fishing grounds are closed to a gear type.

Regulations have been published in the Federal Register proposing two areas in the Gulf of Alaska and one area in the Bering Sea for purposes of testing gear. We will advise you when this rulemaking process has been completed.

Sincerely,

for 
Steven Pennoyer
Director, Alaska Region

