

the closure to allow fishing for finfish except by bottom trawl or dredge.

The full extent of the ecological damage caused by the oil spill still is not known. The emergency nature of the adverse environmental condition created by the presence of oil in the area renders prior notice and opportunity to comment on a proposed closure contrary to the public interest.

Consequently, the emergency action authority vested in NMFS, on behalf of the Secretary of Commerce (Secretary), under section 305(c) of the Magnuson Fishery Conservation and Management Act, 16 U.S.C. 1855(c) is invoked to make the closure effective immediately.

This action will remain in effect from March 13, 1996, through May 1, 1996, unless circumstances change. An extension of the closure, if warranted, is possible for an additional 90 days under the Secretary's emergency rulemaking authority. The New England Fishery Management Council was informed of this action and has concurred with the implementation of additional measures, including an extension of the present closure, so long as such measures complement the State's regulations and are implemented at the State's request.

In a separate action, the areas discussed above will be closed to gillnetting, March 1 - March 31, 1996, as part of a larger area closure for the protection of migrating harbor porpoise, under Framework Adjustment 14 to the Northeast Multispecies Fishery Management Plan. Under the Framework Adjustment, gillnetters will not be allowed to operate in the closed area unless they elect to comply with protocols for an experimental fishery. The rules set forth below in no way amend the actions related to Framework Adjustment 14.

#### Classification

The Assistant Administrator for Fisheries, NOAA (AA), has determined that this rule is necessary to respond to an emergency situation and is consistent with the Magnuson Act and other applicable law.

The AA finds that failure to implement the actions in this rule that close additional areas to fishing for benthic crustaceans and mollusks could result in serious risk to public safety and human health. The foregoing constitutes good cause to waive the requirement to provide prior notice and the opportunity for public comment, pursuant to authority set forth at 5 U.S.C. 553(b)(B), as such procedures would be contrary to the public interest. Similarly, the need to implement these measures in a timely manner to address public safety, health, and welfare

constitutes a good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effectiveness.

Testing has determined that consumption of finfish doesn't pose a threat to human health. Finfish fishermen would suffer severe economic hardship unnecessarily if the current prohibition were to remain in effect. As such, the AA finds that the foregoing constitutes good cause to waive the requirement to provide prior notice and the opportunity for public comment, pursuant to authority set forth at 5 U.S.C. 553(b)(B), as such procedures would be contrary to the public interest. Further, as this provision relieves a restriction, it is made effective immediately pursuant to authority at 5 U.S.C. 553(d)(1).

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

This emergency rule is exempt from the procedures of the Regulatory Flexibility Act because this rule is not required to be issued with prior notice and opportunity for public comment.

#### List of Subjects in 50 CFR Part 620

Fisheries, Fishing.

Dated: March 13, 1996.

Gary Matlock,

*Program Management Officer, National Marine Fisheries Service.*

For the reasons set out in the preamble, 50 CFR part 620 is amended as follows:

#### PART 620—GENERAL PROVISIONS FOR DOMESTIC FISHERIES

1. The authority citation for part 620 continues to read as follows:

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

2. Section 620.7, paragraph (i) is revised and paragraphs (j) and (k) are added to read as follows:

##### § 620.7 General prohibitions.

\* \* \* \* \*

(i) Fish for in, or possess or land benthic crustaceans and mollusks, including but not limited to American lobsters, rock crabs, red crabs, blue crabs, jonah crabs, surf clams, ocean quahogs, sea scallops, mussels, periwinkles, and oysters from the Federal waters of Block Island Sound bounded as follows: From the point where LORAN line 25740 intersects with the 3-nautical mile (6-km) line south of Easton Point, RI, proceeding southwesterly along the 25740 line to its intersection with the 14470 line, thence south-southeasterly along the 14470 line to its intersection with the 43840 line, thence southwesterly along the 43840

line to its intersection with 14540 line, thence northwesterly along the 14540 line to its intersection with the 3-nautical mile (6-km) line south of Block Island, RI, thence northeasterly and along said 3-nautical mile (6-km) line to the northern intersection of the 3-nautical mile (6-km) line and the 14540 line, thence northwesterly along the 14540 line to the intersection of the 3-nautical mile (6-km) line, thence northeasterly along the 3-nautical mile (6-km) line to the starting point.

(j) Unless exempted in this paragraph, to deploy, use, fish with or operate lobster traps, trawl or dredge gear designed or used for fishing on the ocean bottom, or any other gear designed for or capable of catching benthic mollusks or crustaceans, in the area described in § 620(i). Hook and line gear, mid-water trawls, weirs, purse seine gear and sink gillnets are specifically exempted from this prohibition. Recovery of trap gear from the closed area is specifically exempted from this prohibition if the owner/fisher of said gear registers and complies fully with the State of Rhode Island Department of Environmental Management's gear retrieval program.

(k) Transit the area described in paragraph (i) of this section, unless all prohibited fishing gear is stowed and unavailable for immediate use in accordance with 50 CFR 625.24(f), 650.21(a)(2)(iii), and 651.20(c)(4)(i). [FR Doc. 96-6493 Filed 3-13-96; 5:04 pm]

BILLING CODE 3510-22-F

#### 50 CFR Part 675

[Docket No. 950727194-6005-02; I.D. 062795C]

#### Groundfish of the Gulf of Alaska; Groundfish Fishery of the Bering Sea and Aleutian Islands Area; Consolidation of Regulations Including Recordkeeping and Reporting Requirements; Correction

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

**ACTION:** Correction to final regulations.

**SUMMARY:** This document contains corrections to final regulations (I.D. 062795C) which were published Tuesday, February 13, 1996 (61 FR 5608). The regulations related to recordkeeping and reporting information for groundfish of the Bering Sea and Aleutian Islands area.

**EFFECTIVE DATE:** March 19, 1996.

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

**SUPPLEMENTARY INFORMATION:****Background**

The final regulations that are the subject of this correction consolidated several sections of regulations in parts 672 and 675, corrected errors, clarified vague text, removed outdated requirements, as well as simplified and streamlined the remaining regulations, including the recordkeeping and reporting requirements.

**Need for Correction**

As published, the final regulations contain a change that should not have been.

**Correction of Publication**

Accordingly, the publication on February 13, 1996, of the final

regulations (I.D. 062795C), which was the subject of FR Doc. 96-2574, is corrected as follows:

On page 5642, in the first column, in § 675.7, paragraph (m) is corrected to read as follows:

**§ 675.7 Prohibitions.**

\* \* \* \* \*

(m) With respect to halibut caught with hook-and-line gear deployed from a vessel fishing for groundfish, except for vessels fishing for Pacific halibut in accordance with part 301 of this title—

(1) Fail to release the halibut outboard a vessel's rails;

(2) Release the halibut by any method other than;

(i) Cutting the gangion;

(ii) Positioning the gaff on the hook and twisting the hook from the halibut; or

(iii) Straightening the hook by using the gaff to catch the bend of the hook and bracing the gaff against the vessel or any gear attached to the vessel;

(3) Puncture the halibut with a gaff or other device; or

(4) Allow the halibut to contact the vessel, if such contact causes, or is capable of causing, the halibut to be stripped from the hook.

\* \* \* \* \*

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

Dated: March 12, 1996.

Gary Matlock,

*Program Management Officer, National Marine Fisheries Service.*

[FR Doc. 96-6395 Filed 3-18-96; 8:45 am]

**BILLING CODE 3510-22-F**