

percent of any 2-month cumulative trip limit for the same gear and/or subarea in the limited entry fishery, called the '50-percent monthly limit.'"

The annual management measures published at 61 FR 279, January 4, 1996, as amended, are modified as follows:

1. Paragraphs IV.B.(1) and (2) of the annual management measures for widow rockfish are revised to read as follows:

B.(1) Limited entry fishery.

(a) *September-October 1996.* The cumulative trip limit for widow rockfish is 50,000 lb (22,680 kg) per vessel for the 2-month period. The 60-percent monthly limit is 30,000 lb (13,608 kg).

(b) *November-December 1996.* The cumulative trip limit for widow rockfish is 25,000 lb (11,340 kg) per vessel per 1-month period.

(2) *Open access fishery.* Within the limits at paragraph IV.I. for the open access fishery, the cumulative monthly trip limit for widow rockfish during September-December 1996 is 25,000 lb (11,340 kg) per vessel per 1-month period.

2. Paragraphs IV.C.(2)(a)(i) and (ii) of the annual management measures for yellowtail rockfish and the *Sebastes* complex are revised to read as follows:

C.(2)(a) Cumulative trip limits.

(i) North of Cape Lookout.

(A) *September-October 1996.* The cumulative trip limit for the *Sebastes* complex taken and retained north of Cape Lookout is 70,000 lb (31,752 kg) per vessel for the 2-month period. Within this cumulative trip limit for the *Sebastes* complex, no more than 20,000 lb (9,072 kg) may be yellowtail rockfish taken and retained north of Cape Lookout, and no more than 18,000 lb (8,165 kg) may be canary rockfish.

(B) *November-December 1996.* The cumulative trip limit for the *Sebastes* complex taken and retained north of Cape Lookout is 35,000 lb (15,876 kg) per vessel per 1-month period. Within this cumulative trip limit for the *Sebastes* complex, no more than 10,000 lb (4,536 kg) may be yellowtail rockfish taken and retained north of Cape Lookout, and no more than 9,000 lb (4,082 kg) may be canary rockfish.

(ii) Cape Lookout to Cape Mendocino.

(A) *September-October 1996.* The cumulative trip limit for the *Sebastes* complex taken and retained between Cape Lookout and Cape Mendocino remains at 100,000 lb (45,359 kg) per vessel for the 2-month period. Within this cumulative trip limit for the *Sebastes* complex, no more than 70,000 lb (31,752 kg) may be yellowtail rockfish taken and retained between Cape Lookout and Cape Mendocino, and no

more than 18,000 lb (8,165 kg) may be canary rockfish.

(B) *November-December 1996.* The cumulative trip limit for the *Sebastes* complex taken and retained between Cape Lookout and Cape Mendocino is 50,000 lb (22,680 kg) per vessel per 1-month period. Within this cumulative trip limit for the *Sebastes* complex, no more than 35,000 lb (15,876 kg) may be yellowtail rockfish taken and retained between Cape Lookout and Cape Mendocino, and no more than 9,000 lb (4,082 kg) may be canary rockfish.

3. Paragraph IV.C.(2)(a)(iv) of the annual management measures for yellowtail rockfish and the *Sebastes* complex is revised to read as follows:

(iv) The 60-percent monthly limits for September-October 1996 are: For the *Sebastes* complex, 42,000 lb (19,051 kg) north of Cape Lookout, 60,000 lb (27,216 kg) between Cape Lookout and Cape Mendocino, and 120,000 lb (54,431 kg) south of Cape Mendocino; for yellowtail rockfish, 12,000 lb (5,443 kg) north of Cape Lookout, and 42,000 lb (19,051 kg) between Cape Lookout and Cape Mendocino; for bocaccio, 36,000 lb (16,329 kg) south of Cape Mendocino; and, for canary rockfish, 10,800 lb (4,899 kg) coastwide.

4. Paragraph IV.C.(3)(b) of the annual management measures for yellowtail rockfish and the *Sebastes* complex is revised to read as follows:

C.(3)(b) *Open access fishery.* If smaller than the limits at paragraph IV.I. of the annual management measures, the following cumulative monthly trip limits apply (within the limits at paragraph IV.I.) during September-December 1996: For the *Sebastes* complex, 35,000 lb (15,876 kg) north of Cape Lookout, 50,000 lb (22,680 kg) between Cape Lookout and Cape Mendocino, and 100,000 lb (45,359 kg) south of Cape Mendocino; for yellowtail rockfish, 10,000 lb (4,536 kg) north of Cape Lookout, and 35,000 lb (15,876 kg) between Cape Lookout and Cape Mendocino; for bocaccio, 30,000 lb (13,608 kg) south of Cape Mendocino; and, for canary rockfish, 9,000 lb (4,082 kg) coastwide.

Classification

These actions are authorized by the regulations implementing the FMP. The determination to take these actions is based on the most recent data available. The aggregate data upon which the determinations are based are available for public inspection at the office of the Director, Northwest Region, NMFS (see ADDRESSES) during business hours. Because of the need for immediate action to slow the rate of harvest of widow and yellowtail rockfishes, and

because the public had an opportunity to comment on the action at the August 1996 Council meeting, NMFS has determined that good cause exists for this document to be published without affording a prior opportunity for public comment or a 30-day delayed effectiveness period. These actions are taken under the authority of 50 CFR 660.323(b)(1)(i), and are exempt from review under E.O. 12866.

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

Dated: August 30, 1996.

Donald J. Leedy

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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50 CFR Part 679

[Docket No. 960502124-6190-02; I.D. 083096D]

Fisheries of the Exclusive Economic Zone off Alaska; Scallop Fishery; Closure in Registration Area D

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

ACTION: Closure.

SUMMARY: NMFS is closing the scallop fishery in all districts of Scallop Registration Area D (Yakutat) other than District 16. This action is necessary to prevent exceeding the scallop total allowable catch (TAC) in this area.

EFFECTIVE DATE: 1200 hrs, Alaska local time (A.l.t.), September 4, 1996, until 2400 hrs, A.l.t., December 31, 1996.

FOR FURTHER INFORMATION CONTACT: Andrew Smoker, 907-586-7228.

SUPPLEMENTARY INFORMATION: The scallop fishery in the exclusive economic zone off Alaska is managed by NMFS according to the Fishery Management Plan for Scallop Fishery off Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing for scallops is governed by regulations appearing at 50 CFR parts 600 and 679.

In accordance with § 679.62(b) the 1996 scallop TAC for all districts of Scallop Registration Area D other than District 16 was established by the Final 1996 Harvest Specifications of Scallops (61 FR 38099, July 23, 1996) as 195,000 lb (88,451 kg) shucked meat.

The Director, Alaska Region, NMFS, has determined, in accordance with 679.62(c), that the scallop TAC for all districts of Scallop Registration Area D

other than District 16 has been reached. Therefore, NMFS is prohibiting the taking and retention of scallops in all districts of Scallop Registration Area D other than District 16 from September 4, 1996, through 2400 hrs, A.L.T., December 31, 1996.

Classification

This action is taken under § 679.62 and is exempt from review under E.O. 12866.

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

Dated: August 30, 1996.

Donald J. Leedy,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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