

halt. The Magnuson-Stevens Act contains a statutory time period for the review and implementation of a fishery management plan or amendment that is submitted to the Secretary by a Council. This can only be modified or halted by a legislative revision to the Magnuson-Stevens Act.

Public comments are requested on the NEFMC's request for joint designation of this FMP. Comments will be reviewed and considered prior to the Secretary's decision on this request.

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

Dated: November 25, 1996.

Gary C. Matlock,

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

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**50 CFR Part 679**

[I.D. 111896B]

RIN 0648-AF81

**Fisheries of the Exclusive Economic Zone Off Alaska; Scallop Fishery; Vessel Moratorium**

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

ACTION: Notice of availability of an amendment to a fishery management plan; request for comments.

SUMMARY: NMFS announces that the North Pacific Fishery Management Council (Council) has submitted Amendment 2 to the Fishery

Management Plan for the Scallop Fishery off Alaska for Secretarial review. Amendment 2 would establish a temporary moratorium on the entry of additional vessels into the scallop fishery off Alaska. Comments from the public are requested.

DATES: Comments on Amendment 2 must be received on or before February 3, 1997.

ADDRESSES: Comments on Amendment 2 should be submitted to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668, Attn: Lori Gravel, or delivered to the Federal Building, 709 West 9th Street, Juneau, AK.

Copies of Amendment 2 and the Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis prepared for the amendment are available from the North Pacific Fishery Management Council, 605 West Fourth Avenue, Anchorage, AK 99501-2252; telephone 907-271-2809.

FOR FURTHER INFORMATION CONTACT: Kent Lind, 907-586-7228.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires that each regional fishery management council submit any fishery management plan (FMP) or plan amendment it prepares to NMFS for review and approval, disapproval, or partial approval. The Magnuson-Stevens Act also requires that NMFS, upon receiving an FMP or amendment, immediately publish a notice that the FMP or

amendment is available for public review and comment. NMFS will consider the public comments received during the comment period in determining whether to approve the FMP or amendment.

Amendment 2 would establish a temporary vessel moratorium, which would remain in effect for 3 years from the date of implementation or until repealed or replaced by a permanent limited access program. Scallop moratorium permits would be issued to the person who was the most recent owner of a qualifying vessel at the time of qualification. Vessels would qualify for inclusion in the moratorium if they made a legal landing of scallops during 1991, 1992, or 1993, or during any 4 years between 1980 and 1990. The purpose of Amendment 2 is to curtail increases in fishing capacity and to provide stability for industry while the Council and NMFS develop a limited access program for this fishery.

NMFS will consider the public comments received during the comment period in determining whether to approve the proposed amendment. A proposed rule to implement Amendment 2 has been submitted for Secretarial review and approval. NMFS expects to publish proposed regulations to implement Amendment 2 shortly for public review and comment.

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

Dated: November 26, 1996.

Gary C. Matlock,

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

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