

- (xii) Number and pounds discarded by species;
- (xiii) Number of crew;
- (xiv) Number of anglers;
- (xv) Any other information required by the Regional Director.

(2) *When to fill in the fishing log.* Vessel owners shall ensure that all logbook information required in paragraph (c)(1) of this section is filled in for each fishing trip by the end of each fishing trip.

(3) *Inspection.* The owner or operator shall, immediately upon request, make the logbook currently in use available for inspection by an authorized officer, or by an employee of NMFS designated by the Regional Director to make such inspections, at any time during or after a trip.

(4) *Record retention.* For one year after the date of the last entry in the completed log, the owner shall retain a copy of each logbook and make them available upon request by an authorized officer.

(5) *Fishing log reports.* The owner shall submit fishing log reports to the Regional Director or an official designee on forms supplied by, or approved by, the Regional Director postmarked within 15 days of the last calendar day of the month during which the trip is landed. Each owner will be sent forms and instructions, including the address to which to submit reports, shortly after receipt of a fishing permit. If no fishing trip were made or summer flounder were landed during a month, a fishing log report so stating must be submitted and postmarked by the 15th of the following month.

\* \* \* \* \*

[FR Doc. 93-15661 Filed 7-1-93; 8:45 am]  
BILLING CODE 3510-20-M

## 50 CFR Part 646

[Docket No. 930115-3147; I.D. 112992A]

RIN 0648-AE89

### Snapper-Grouper Fishery of the South Atlantic

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

**ACTION:** Final rule and technical amendment.

**SUMMARY:** NMFS establishes eight special management zones (SMZs) at the sites of artificial reefs (ARs) in the exclusive economic zone (EEZ) off the South Carolina coast and restricts fishing in these SMZs to hand-held, hook-and-line gear (including manual, electric, or hydraulic rod and reel) and spearfishing (excluding powerheads).

The intended effect of this rule is to promote orderly use of the fishery resources on and around the ARs, to reduce potential user-group conflicts, to maintain the socioeconomic benefits of the ARs to the maximum extent practicable, and to conform the regulations to current practice. In addition, as a technical amendment, NMFS removes language regarding verification by the Internal Revenue Service (IRS) of income or gross sales of fish documentation submitted in support of applications for Federal permits to engage in the wreckfish fishery off the southern Atlantic states.

**EFFECTIVE DATE:** July 31, 1993.

**FOR FURTHER INFORMATION CONTACT:** Peter J. Eldridge, 813-893-3161.

**SUPPLEMENTARY INFORMATION:** Snapper-grouper species off the southern Atlantic states are managed under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP), prepared by the South Atlantic Fishery Management Council (Council), and its implementing regulations at 50 CFR part 646, under the authority of the Magnuson Fishery Conservation and Management Act (Magnuson Act). The FMP provides for designation of ARs as SMZs, following Council recommendation to the Director, Southeast Region, NMFS.

ARs create fishing opportunities that would not exist otherwise and may increase biological production. They are expensive to construct and their benefits can be dissipated rapidly by certain types of fishing gear. Use of certain fishing gear that offers advantages over other gear may reduce significantly the improved fishing opportunities and, thus, may eliminate the incentive for the development of ARs. The intent of SMZs, and associated gear requirements, is to preserve the fishing opportunities of ARs and the incentive to establish them.

The South Carolina Wildlife and Marine Resources Department requested that the Council establish SMZs around eight ARs in which fishing would be limited to hand-held, hook-and-line gear, and spearfishing (excluding powerheads). The ARs are in the EEZ off South Carolina on an expensive shelf area that has large areas devoid of any hard or live bottom. Prior to establishment of the ARs, these areas did not support any significant fisheries. In fact, these large barren areas limited the development of recreational fishing. The ARs provide substrate for invertebrates and juveniles of game fish. The increased substrate leads to increased biological productivity although it is not possible to quantify

the increase. The small fish, which inhabit ARs, attract game fish; hence, fishing opportunities are increased.

The procedural requirements of the FMP for designation of ARs as SMZs, the criteria required by the FMP to be evaluated for designation of ARs as SMZs, and evaluation of those criteria were contained in the proposed rule (58 FR 13732, March 15, 1993) and are not repeated here.

### Comments and Responses

Two comments were received on the proposed rule.

*Comment:* A professional diver reported that he had used a powerhead in six of the eight proposed SMZs during the last 4 years and objected to the proposed exclusion of powerheads. He suggested that prohibiting the use of a powerhead for amberjack in the SMZs is equivalent to locking the barn door after the horse was stolen. For the conservation of amberjack, he suggested prohibiting the use of hook-and-line gear for amberjack off south Florida during the spawning season, which, according to the commenter, extends from the third week in April through mid-June.

*Response:* The Council concluded that the use of powerheads in SMZs would discourage the construction of new ARs because only a few individuals would gain most of the benefits. That is, a few individuals would have an excessive share of the total catch of fish produced or aggregated by the ARs. Commercial fishermen may continue to use the SMZs provided they use legal gear, which includes spear guns, and hook-and-line gear. The Council believes this rule will reduce conflicts among users and will distribute benefits to a large number of fishermen. NMFS concurs.

The Council chose to limit the harvest of amberjack during April, but not to close the entire fishery. The commenter's suggestion may be considered by the Council if additional conservation measures are necessary.

*Comment:* The Center for Marine Conservation (Center) supported the proposed rule—with reservations. The Center notes that no conclusive evidence exists that ARs increase fish populations, rather than merely concentrating fish populations, and that protection of SMZs may contribute to increased fishing pressure on natural reefs. The Center encouraged the Council to protect larger natural reef habitats, possibly through the establishment of marine fishery reserves.

*Response:* The Council held extensive public hearings on the concept of

marine fishery reserves. Because of public opposition to the concept of marine fishery reserves, as well as a lack of scientific information concerning the quantitative effects of reserves, the Council deferred action.

#### Technical Amendment

The regulations at 50 CFR 646.4(a)(2) specify that for a person to fish for wreckfish in the EEZ, possess wreckfish in or from the EEZ, off-load wreckfish from the EEZ, or sell wreckfish in or from the EEZ, a vessel permit for wreckfish must be issued to the vessel and be on board. To obtain a permit, the applicant must certify that more than 50 percent of his or her earned income must derived from commercial, charter, or headboat fishing or his or her gross sales of fish were more than \$20,000 during one of the 3 calendar years preceding the application. The Director, Southeast Region, NMFS, requires the applicant to provide forms and schedules from his or her income tax return in support of the stated earned income/gross sales. The regulations at 50 CFR 646.4(c)(3) state, "Copies of income tax forms and schedules and other required documentation are treated as confidential, but may be released to and verified by the Internal Revenue Service or other appropriate authorities." The language regarding release to and verification by IRS is removed to conform to current practice.

#### Classification

The Assistant Administrator for Fisheries, NOAA (Assistant Administrator), determined that this final rule is necessary for the conservation and management of the snapper-grouper fishery and that it is consistent with the Magnuson Act and other applicable Federal law.

The Assistant Administrator determined that this rule is not a "major rule" requiring a regulatory impact analysis under E.O. 12291. This rule is not likely to result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices for consumers, individual industries, Federal, state, or local government agencies, or geographic regions; or a significant adverse effect on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The Council prepared a regulatory impact review for this action, which concludes that the costs or negative impacts associated with the proposed designation of additional SMZs are

insignificant compared to the benefits associated with SMZ status.

The General Counsel of the Department of Commerce certified to the Small Business Administration that the proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities because few commercial fishermen depend on the artificial reef sites and the negative economic effects would be minimal.

The Southeast Regional Office, NMFS, prepared an environmental assessment (EA) for this action. Based on the EA, the Assistant Administrator concluded that there will be no significant impact on the human environment as a result of this rule.

In the final rules implementing the FMP and its amendments, NMFS concluded that, to the maximum extent practicable, the FMP and amendments are consistent with the approved coastal zone management programs of all the affected states. Since this final rule does not directly affect the coastal zone in a manner not already fully evaluated in the FMP and amendments and their consistency determinations, a new consistency determination under the Coastal Zone Management Act is not required.

This final rule does not contain a collection-of-information requirement subject to the Paperwork Reduction Act.

This final rule does not contain policies with federalism implications sufficient to warrant preparation of a federalism assessment under E.O. 12612.

#### List of Subjects in 50 CFR Part 646

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: June 28, 1993

Nancy Foster,

Acting Assistant Administrator for Fisheries,  
National Marine Fisheries Service.

For the reasons set forth in the preamble, 50 CFR part 646 is amended as follows:

#### PART 646—SNAPPER-GROUPER FISHERY OF THE SOUTH ATLANTIC

1. The authority citation for part 646 continues to read as follows:

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

2. In § 646.4, the last sentence of paragraph (c)(3) is revised to read as follows:

#### § 646.4 Permits and fees.

\* \* \* \* \*

(c) \* \* \*

(3) \* \* \* Copies of income tax forms and schedules and other required

documentation are treated as confidential; however, documents other than income tax forms and schedules may be released to and verified by appropriate authorities.

\* \* \* \* \*

3. In § 646.26, new paragraphs (a)(22) through (a)(29) are added and paragraph (c)(1) introductory text and the first sentence of paragraph (c)(4) are revised to read as follows:

#### § 646.26 Area limitations.

(a) \* \* \*

(22) *Little River Offshore Reef*: The area is bounded on the north by 33°42.10' N. latitude; on the south by 33°41.10' N. latitude; on the east by 78°26.40' W. longitude; and on the west by 78°27.10' W. longitude.

(23) *BP-25 Reef*: The area is bounded on the north by 33°21.70' N. latitude; on the south by 33°20.70' N. latitude; on the east by 78°24.80' W. longitude; and on the west by 78°25.60' W. longitude.

(24) *Vermilion Reef*: The area is bounded on the north by 32°57.80' N. latitude; on the south by 32°57.30' N. latitude; on the east by 78°39.30' W. longitude; and on the west by 78°40.10' W. longitude.

(25) *Cape Romaine Reef*: The area is bounded on the north by 33°00.00' N. latitude; on the south by 32°59.50' N. latitude; on the east by 79°02.01' W. longitude; and on the west by 79°02.62' W. longitude.

(26) *Y-73 Reef*: The area is bounded on the north by 32°33.20' N. latitude; on the south by 32°32.70' N. latitude; on the east by 79°19.10' W. longitude; and on the west by 79°19.70' W. longitude.

(27) *Eagles Nest Reef*: The area is bounded on the north by 33°01.48' N. latitude; on the south by 32°00.98' N. latitude; on the east by 80°30.00' W. longitude; and on the west by 80°30.65' W. longitude.

(28) *Bill Perry Jr. Reef*: The area is bounded on the north by 33°26.20' N. latitude; on the south by 33°25.20' N. latitude; on the east by 78°32.70' W. longitude; and on the west by 78°33.80' W. longitude.

(29) *Comanche Reef*: The area is bounded on the north by 32°27.40' N. latitude; on the south by 32°26.90' N. latitude; on the east by 79°18.80' W. longitude; and on the west by 79°19.60' W. longitude.

\* \* \* \* \*

(c) \* \* \*

(1) In SMZs specified in paragraphs (a)(1) through (a)(18) and (a)(22) through (a)(29) of this section.

\* \* \* \* \*

(4) In the SMZs specified in paragraphs (a)(1) through (a)(10) and

(a)(22) through (a)(29) of this section, a powerhead may not be used to take a fish in the snapper-grouper fishery. \* \* \*

[FR Doc. 93-15742 Filed 7-1-93; 8:45 am]

BILLING CODE 3510-22-M

## 50 CFR Part 658

[I.D. 060793A]

### Shrimp Fishery of the Gulf of Mexico

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

**ACTION:** Adjustment of the ending date of the Texas closure.

**SUMMARY:** NMFS announces an adjustment of the ending date of the annual closure of the shrimp fishery in the exclusive economic zone (EEZ) off Texas. The closure is normally from May 15 to July 15 each year. This year the closure began on May 15, 1993, but because initial biological data indicate that brown shrimp leaving the Texas estuaries will have reached the desired size by July 6, the ending date is changed to this earlier date. The Texas closure is intended to: Prohibit the harvest of brown shrimp during their major period of emigration from Texas estuaries to the Gulf of Mexico so the shrimp may reach a larger, more valuable size; and prevent the waste of brown shrimp that would be discarded in fishing operations because of their small size.

**EFFECTIVE DATES:** The EEZ off Texas is closed to trawl fishing from 30 minutes after sunset, May 15, 1993, to 30 minutes after sunset, July 6, 1993.

**FOR FURTHER INFORMATION CONTACT:** Michael E. Justen, 813-893-3161.

**SUPPLEMENTARY INFORMATION:** The Gulf of Mexico shrimp fishery is managed under the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico under authority of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*). The implementing regulations at 50 CFR 658.25 describe the Texas closure and provide for adjustments to the beginning and ending dates by the Director, Southeast Region, NMFS, under specified criteria.

Available information meeting the criteria specified at 50 CFR 658.25(b)(1) indicates that an early ending of the Texas closure is warranted and desirable. Biological data collected by the Texas Parks and Wildlife Department indicates that ending the closure on July 6, 1993, will provide adequate protection of small brown shrimp emigrating from the Texas estuaries.

Accordingly, the time and date at 50 CFR 658.25(a) for ending the Texas closure is changed from 30 minutes after sunset, July 15, 1993, to 30 minutes after sunset on July 6, 1993. During the closure, the area described at 50 CFR 658.25(a) is closed to all trawl fishing, except that a vessel may fish for royal red shrimp beyond the 100-fathom (183-m) depth contour. The waters of Texas are also closed during this period.

### Classification

This action is authorized by 50 CFR 658.25 and complies with E.O. 12291.

### List of Subjects in 50 CFR Part 658

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: June 25, 1993.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 93-15738 Filed 6-29-93; 3:19 pm]

BILLING CODE 3510-22-M

## 50 CFR Part 672

[Docket No. 921107-3068; I.D. 062893A]

### Groundfish of the Gulf of Alaska

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

**ACTION:** Closure.

**SUMMARY:** NMFS is closing the directed fishery for thornyhead rockfish to all gear in the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the thornyhead rockfish total allowable catch (TAC) in the GOA.

**EFFECTIVE DATE:** Effective 12 noon, Alaska local time (A.l.t.), June 28, 1993, through 12 midnight, A.l.t., December 31, 1993.

**FOR FURTHER INFORMATION CONTACT:** Andrew N. Smoker, Resource Management Specialist, Fisheries Management Division, NMFS, (907) 586-7228.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the GOA exclusive economic zone is managed by the Secretary of Commerce according to the Fishery Management Plan for Groundfish of the GOA (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 672.

In accordance with § 672.20(c)(1)(ii)(B), the thornyhead rockfish TAC for the GOA was

established by the final 1993 interim specifications (58 FR 16787, March 31, 1993) as 1,062 mt (mt).

The Director of the Alaska Region, NMFS (Regional Director), has determined, in accordance with § 672.20(c)(2)(ii), that the thornyhead rockfish TAC in the GOA soon will be reached. Therefore, the Regional Director has established a directed fishing allowance of 900 mt, with consideration that 162 mt tons will be taken as incidental catch in directed fishing for other species in this area. The Regional Director has determined that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for thornyhead rockfish in the GOA, effective from 12 noon, A.l.t., June 28, 1993, through 12 midnight, A.l.t., December 31, 1993.

Directed fishing standards for applicable gear types may be found in the regulations at § 672.20(g).

### Classification

This action is taken under 50 CFR 672.20, and is in compliance with E.O. 12291.

### List of Subjects in 50 CFR Part 672

Fisheries, Reporting and recordkeeping requirements.

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

Dated: June 28, 1993.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 93-15646 Filed 6-28-93; 4:59 pm]

BILLING CODE 3510-22-M

## 50 CFR Part 675

[Docket No. 921185-3021]

### Groundfish of the Bering Sea and Aleutian Islands Area

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

**ACTION:** Closure.

**SUMMARY:** NMFS is closing the directed fishery for the "other red rockfish" target species category in the Bering Sea subarea (BS) of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the "other red rockfish" total allowable catch (TAC) in the BS.

**EFFECTIVE DATE:** 12 noon, Alaska local time (A.l.t.), July 4, 1993, until 12 midnight, A.l.t., December 31, 1993.

**FOR FURTHER INFORMATION CONTACT:** Andrew N. Smoker, Resource Management Specialist, Fisheries