

(b)(2) of this section, and is conclusively attributed to lobster pot gear that has been exempted under paragraph (b)(3) of this section, the area in paragraph (b)(2) of this section shall be closed for the period specified in paragraph (b)(1) of this section through notification in the **Federal Register** until such time as the Assistant Administrator revises the requirements and conditions, or imposes additional requirements and conditions, or exempts specified alternative fishing practices in accordance with paragraph (b)(3) of this section.

(ii) If a serious injury or mortality of any endangered whale occurs in any area and at any time and is conclusively attributed to gear which is exempt under paragraph (b)(3) of this section, NMFS will reassess its exemption of the gear and may close the area to all lobster pot fishing through notification in the **Federal Register** until such time as the Assistant Administrator revises the requirements and conditions, or imposes additional requirements and conditions, or exempts specified alternative fishing practices in accordance with paragraph (b)(3) of this section.

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## 50 CFR Part 679

[Docket No. 961107312-7021-02; I.D. 033197A]

### Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole by Vessels Using Trawl Gear

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

**ACTION:** Modification of a closure.

**SUMMARY:** NMFS is opening directed fishing for the yellowfin sole fishery by vessels using trawl gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to fully utilize the first seasonal bycatch allowance of Pacific halibut apportioned to the trawl yellowfin sole fishery category in the BSAI.

**EFFECTIVE DATE:** 1200 hrs, Alaska local time (A.l.t.), March 31, 1997.

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

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the BSAI exclusive economic zone is managed by NMFS

according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at subpart H of 50 CFR part 600 and 50 CFR part 679.

The first seasonal apportionment of the 1997 halibut bycatch allowance specified for the trawl yellowfin sole fishery in the BSAI, which is defined at § 679.21(e)(3)(iv)(B)(1), was established by the Final 1997 Harvest Specifications of Groundfish for the BSAI (62 FR 7168, February 18, 1997) as 210 mt. Directed fishing for yellowfin sole by vessels using trawl gear in the BSAI was prohibited on March 22, 1997 (62 FR 14651, March 27, 1997) to prevent exceeding the first seasonal bycatch allowance of Pacific halibut apportioned to that fishery.

The Administrator, Alaska Region, NMFS, has determined that as of March 22, 1997, 14 metric tons of halibut mortality remain in the first seasonal bycatch allowance. Therefore, NMFS is terminating the previous closure and is opening directed fishing for yellowfin sole by vessels using trawl gear in the BSAI. The second seasonal bycatch allowance (210 mt) of Pacific halibut apportioned to the trawl yellowfin sole fishery category in the BSAI becomes available on April 1.

All other closures remain in full force and effect.

### Classification

This action is required by 50 CFR 679.20 and is exempt from review under E.O. 12866.

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

Dated: March 31, 1997.

**Gary Matlock,**

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

[FR Doc. 97-8565 Filed 3-31-97; 4:29 pm]

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## 50 CFR Part 679

[Docket No. 961126334-7025-02; I.D. 032897B]

### Fisheries of the Exclusive Economic Zone Off Alaska, Pollock in the Eastern Regulatory Area of the Gulf of Alaska

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Prohibition of retention.

**SUMMARY:** NMFS is prohibiting retention of pollock in the Eastern Regulatory Area in the Gulf of Alaska (GOA). NMFS is requiring that catches of pollock in this area be treated in the same manner as prohibited species and discarded at sea with a minimum of injury. This action is necessary because the pollock 1997 total allowable catch (TAC) in this area has been reached.

**EFFECTIVE DATE:** Effective 1200 hrs, Alaska local time (A.l.t.), March 31, 1997, until 2400 hrs, A.l.t., December 31, 1997.

**FOR FURTHER INFORMATION CONTACT:**

Thomas Pearson, 907-486-6919.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 1997 TAC of pollock in the Eastern Regulatory Area of the GOA was established by the Final 1997 Harvest Specifications of Groundfish for the GOA (62 FR 8179, February 24, 1997) as 5,580 metric tons (mt), determined in accordance with § 679.20 (c)(3)(ii).

In accordance with § 679.20 (d)(2), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the 1997 TAC for pollock in the Eastern Regulatory Area has been reached. Therefore, the Regional Administrator is requiring that further catches of pollock in the Eastern Regulatory Area be treated as prohibited species in accordance with § 679.21 (b).

### Classification

This action is required by 50 CFR 679.20 and is exempt from review under E.O. 12866.

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

Dated: March 31, 1997.

**Gary C. Matlock,**

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

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