

## DEPARTMENT OF COMMERCE

## National Oceanic and Atmospheric Administration

## 50 CFR Part 679

[Docket No. 961126334-7025-02; I.D. 070397F]

**Fisheries of the Exclusive Economic Zone Off Alaska, Pacific Ocean Perch in the Central Regulatory Area of the Gulf of Alaska**

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

**ACTION:** Closure.

**SUMMARY:** NMFS is closing directed fishing for Pacific ocean perch in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the Pacific ocean perch total allowable catch (TAC) in the Central Regulatory Area of the GOA.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), July 7, 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 Pacific ocean perch TAC in the Central Regulatory Area of the Gulf of Alaska was established by the Final 1997 Harvest Specifications of Groundfish for the GOA (62 FR 8179, February 24, 1997) as 5,352 metric tons (mt), determined in accordance with § 679.20(c)(3)(ii).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administration), has determined that the Pacific ocean perch TAC in the Central Regulatory Area will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 4,752 mt, and is setting aside the remaining 600 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance will soon be reached. Consequently, NMFS is prohibiting

directed fishing for Pacific ocean perch in the Central Regulatory Area.

Maximum retainable bycatch amounts for applicable gear types may be found in the regulations at § 679.20(e) and (f).

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately to prevent overharvesting the 1997 TAC for Pacific ocean perch in the Central Regulatory Area. A delay in the effective date is impracticable and contrary to public interest. The fleet will soon take the directed fishing allowance for Pacific ocean perch. Further delay would only result in overharvest and disrupt the FMP's objective of allowing incidental catch to be retained throughout the year. NMFS finds for good cause that the implementation of this action cannot be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

**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: July 3, 1997.

**Gary C. Matlock,**

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

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## DEPARTMENT OF COMMERCE

## National Oceanic and Atmospheric Administration

## 50 CFR Part 679

[Docket No. 961126334-7025-02; I.D.

070397D]

**Fisheries of the Exclusive Economic Zone Off Alaska; "Other Rockfish" Species Group in the Eastern Regulatory Area of the Gulf of Alaska**

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

**ACTION:** Closure.

**SUMMARY:** NMFS is closing the directed fishery for the "other rockfish" species group in the Eastern Regulatory Area of the Gulf of Alaska. This action is necessary to prevent exceeding the "other rockfish" species group total allowable catch (TAC) in the Eastern Regulatory Area.

**DATES:** Effective 12 noon, Alaska local time (A.l.t.), July 7, 1997, until 12 midnight, A.l.t., December 31, 1997.

**FOR FURTHER INFORMATION CONTACT:** Mary Furuness, 907-586-7228.

**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.

In accordance with § 679.20(c)(3)(ii), the "other rockfish" species group TAC for the Eastern Regulatory Area was established by the Final 1997 Harvest Specifications of Groundfish (62 FR 8179, February 24, 1997) as 1,500 metric tons (mt).

The Administrator, Alaska Region, NMFS, (Regional Administrator) has determined, in accordance with § 679.20(d)(1), that the "other rockfish" species group TAC in the Eastern Regulatory Area soon will be reached. Therefore, the Regional Administrator has established a directed fishing allowance of 1,383 mt, with consideration that 117 mt will be taken as incidental catch in directed fishing for other species in the Eastern Regulatory Area. The Regional Administrator has determined that the directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for the "other rockfish" species group in the Eastern Regulatory Area.

Maximum retainable bycatch amounts for applicable gear types may be found in the regulations at § 679.20(e).

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately to prevent overharvesting of the 1997 TAC for "other rockfish" in the Eastern Regulatory Area. A delay in the effective date is impracticable and contrary to public interest. The fleet has already taken the directed fishing allowance for "other rockfish". Further delay would only result in overharvest which would disrupt the FMP's objective of providing sufficient "other rockfish" as bycatch to support other anticipated groundfish fisheries. NMFS finds for good cause that the implementation of this action cannot be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.