

may be taken unless discard, catch, and survey data indicate that 30 percent of the Atlantic surf clam resource is smaller than 4.75 inches (12.07 cm) and the overall reduced size is not attributable to beds where growth of the individual clams has been reduced because of density-dependent factors.

At its August 1997 meeting, the Mid-Atlantic Fishery Management Council (Council) accepted the recommendations of its Scientific and Statistical Committee and Surf Clam/Ocean Quahog Committee and voted to recommend that the Regional Administrator suspend the minimum size limit for surf clams in 1998. Commercial surf clam shell length data for 1997 indicate that only 15.25 percent of the samples were composed of surf clams that were less than 4.75 inches (12.07 cm). Based on these data, the Regional Administrator adopts the Council's recommendation and publishes this announcement to suspend the minimum size limit for Atlantic surf clams for the period January 1, 1998, through December 31, 1998.

This action is authorized by 50 CFR part 648 and is exempt from review under E.O. 12866.

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

Dated: December 3, 1997.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 97-32195 Filed 12-8-97; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 970613138-7138-01; I.D. 120297A]

Scallop Fishery Off Alaska, Scallops in the Northeast District of Registration Area K

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

Atmospheric Administration (NOAA), Commerce.

ACTION: Closure; Inseason adjustment; request for comments.

SUMMARY: NMFS is closing the fishery for scallops in the Northeast District of Registration Area K to prevent overfishing for scallops in this District. It is intended to promote the goals and objectives of the North Pacific Fishery Management Council.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), December 3, 1997, until 2400 hrs, A.l.t., June 30, 1998.

Comments must be received at the following address no later than 4:30 p.m., A.l.t., December 18, 1997.

ADDRESSES: Comments may be sent to Susan Salvesson, Chief, Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori Gravel, or be delivered to the fourth floor of the Federal Building, 709 West 9th Street, Juneau, AK.

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

SUPPLEMENTARY INFORMATION: The scallop fishery off Alaska in the exclusive economic zone is managed by NMFS according to the Fishery Management Plan for the Scallop Fishery Off 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 F of 50 CFR part 600 and 50 CFR part 679.

The 1997 total allowable catch for scallops in Registration Area K, which includes the Northeast District, was established by the 1997-98 Harvest Specifications (62 FR 34182, June 25, 1997) as 400,000 pounds (181.4 metric tons (mt)) of shucked scallop meat. As of November 17, 1997, 96,000 pounds (43.54 mt) of shucked scallop meat have been caught in the Northeast District.

The Alaska Department of Fish and Game, Commercial Fisheries Management and Development

Division, has monitored the scallop fishery in the Northeast District since the fishery opened on August 11, 1997. Harvest rates peaked in early September and have declined steadily. The Alaska Department of Fish and Game is concerned for the localized depletion of the scallop stocks in the Northeast District.

The Administrator, Alaska Region, NMFS, has determined, in accordance with §§ 679.63(a), 679.25(a)(1)(i), and 679.25(a)(2)(i)(A), that on the basis of the best available scientific information, the closure of the scallop season within the Northeast District of Area Registration K is necessary to prevent overfishing of this stock of scallops. Therefore, NMFS is prohibiting the taking and retention of scallops in the Federal waters of the Northeast District of Registration Area K.

Classification

The Assistant Administrator for Fisheries, NOAA, finds for good cause that providing prior notice and public comment or delaying the effective date of this action is impracticable and contrary to the public interest. Immediate effectiveness is necessary to prevent localized overfishing for scallops in the Northeast District of Registration Area K. Accordingly, under 5 U.S.C 553(d), a delay in the effective date is hereby waived.

This action is required by § 679.63 and is exempt from review under E.O. 12866.

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

Dated: December 3, 1997.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 97-32072 Filed 12-3-97; 2:52 pm]

BILLING CODE 3510-22-F