

## DEPARTMENT OF COMMERCE

## National Oceanic and Atmospheric Administration

## 50 CFR Part 648

[Docket No. 971015246-7293-02; I.D. 100897D]

RIN 0648-AK44

**Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 1998 Final Specifications; Correction**

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

**ACTION:** Correction to regulatory text.

**SUMMARY:** This document contains a correction that is related to the final specifications for the 1998 summer flounder, scup, and black sea bass fisheries, which were published on Thursday, December 18, 1997. A revision was inadvertently not made to a portion of the regulatory text to indicate that the 1998 final specifications include a provision to increase the minimum mesh size threshold for black sea bass. This document revises 50 CFR 648.145(c) to correct this oversight. The dates for the final rule remain unchanged.

**DATES:** Effective January 1, 1998. The amendments to §§ 648.24(u)(1), 648.200(a), 648.143(a), and § 648.144(a)(1)(i) became effective on January 1, 1998. The final specifications for the 1998 summer flounder, scup, and black sea bass fisheries and notifications of commercial harvest are effective January 1, 1998, through December 31, 1998.

**FOR FURTHER INFORMATION CONTACT:** Regina L. Spallone, Fishery Policy Analyst, (978) 281-92210.

**SUPPLEMENTARY INFORMATION:****Background**

The final specifications for the 1998 summer flounder, scup, and black sea bass fisheries, which were published December 18, 1997 (62 FR 66304), contained a provision to increase the catch threshold level that would trigger the minimum mesh size requirement for black sea bass from 100 to 1,000 lb (45.4 to 453.6 kg). The language was revised in the regulatory text of the final specifications for 50 CFR 648.14(u)(1) and 648.144(a)(1)(i). However, the language in 50 CFR 648.145(c) was inadvertently not revised.

**List of Subjects in 50 CFR Part 648**

Fisheries, Reporting and recordkeeping requirements.

**PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES**

1. The authority citation for part 648 continues to read as follows:

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

2. In § 648.145, the first sentence of paragraph (c) is revised to read as follows:

**§ 648.145 Possession limit.**

\* \* \* \* \*

(c) Owners or operators of otter trawl vessels issued a moratorium permit under § 648.4(a)(6) and fishing with, or possessing on board, nets or pieces of net that do not meet the minimum mesh requirements and that are not stowed in accordance with § 648.144(a)(4), may not retain 1,000 lb (453.6 kg) or more of black sea bass. \* \* \*

Dated: February 27, 1998.

**David L. Evans,**

*Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

## National Oceanic and Atmospheric Administration

## 50 CFR Part 679

[Docket No. 971208295-7295-01; I.D. 030298C]

**Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Western 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 prohibiting directed fishing for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Western Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the interim specification for Pacific cod by vessels catching Pacific cod for processing by the inshore component in this area.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), March 3, 1998, until 2400 hrs, A.l.t., December 31, 1998.

**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 interim specification of Pacific cod total allowable catch (TAC) in the Western Regulatory Area of the GOA was established by the Interim 1998 Harvest Specifications (62 FR 65622, December 15, 1997) as 4,361 metric tons (mt), determined in accordance with § 679.20(c)(2)(i).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the 1998 interim specification of Pacific cod for processing by the inshore component in the Western Regulatory Area of the GOA will be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 4,061 mt, and is setting aside the remaining 300 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 cod by vessels catching Pacific cod for processing by the inshore component in the Western Regulatory Area of the GOA.

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

**Classification**

This action responds to the interim TAC limitations and other restrictions on the fisheries established in the interim 1998 harvest specifications for groundfish for the GOA. It must be implemented immediately to prevent overharvesting the 1998 interim TAC of Pacific cod allocated for processing by the inshore component in the Western Regulatory Area of the GOA. A delay in the effective date is impracticable and contrary to public interest, and further delay would only result in overharvest. NMFS finds for good cause that the implementation of this action should not be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

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