

2400 hours on September 11, 1998, following the mop-up season.

A daily trip limit is the maximum amount that may be taken and retained, possessed, or landed per vessel in 24 consecutive hours, starting at 0001 hours local time. Only one landing of groundfish may be made in that 24-hour period. Daily trip limits may not be accumulated. If a trip lasts more than 1 day, only one daily trip limit is allowed. Daily trip limits were in effect until the beginning of the regular season, and went back into effect after the post-season closure ended on August 8, 1998. A cumulative trip limit is the maximum amount of sablefish that may be taken and retained, possessed, or landed per vessel in a specified period of time, with no limit on the number of landings or trips.

#### NMFS Actions

For the reasons stated above, the 1998 annual management measures (63 FR 419, January 6, 1998) are modified. NMFS announces the dates of the fixed gear sablefish limited entry mop-up fishery and the amounts of sablefish that may be taken with limited entry fixed gear during and after the limited entry mop-up fishery in 1998. All other management provisions remain in effect.

In Section IV., under *B. Limited Entry Fishery*, paragraph (4)(d)(i) is revised to read as follows:

#### *B. Limited Entry Fishery*

\* \* \* \* \*

(4) \* \* \*

\* \* \* \* \*

(d) \* \* \*

\* \* \* \* \*

(i) *Mop-Up Season.* The mop-up season will begin at 12 noon (local time) on August 28, 1998, and end at noon on September 11, 1998. The cumulative trip limit for the mop-up fishery is 3,200 lb (1,452 kg). No vessel may be used to take more than one mop-up cumulative trip limit. (Note: The States of Washington, Oregon, and California use a conversion factor of 1.6 to convert dressed sablefish to its round-weight equivalent. Therefore, 3,200 lb (1,452 kg) round weight corresponds to 2,000 lb (907 kg) for dressed sablefish.)

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#### Classification

These actions are authorized by the Pacific Coast Groundfish Fishery Management Plan, which governs the harvest of groundfish in the U.S. exclusive economic zone off the coasts of Washington, Oregon, and California. The determination to take these actions

is based on the most recent data available. Because of the need for immediate action to start the mop-up fishery for sablefish, and because the public had an opportunity to comment on these actions at the September 1997 through April 1998 Council meetings, NMFS has determined that providing an opportunity for public notice and comment would be impractical, unnecessary, and contrary to public interest. Participants in the primary sablefish fishery are anxious to begin the mop-up fishery. Delay of this rule could push the mop-up season into inclement autumn weather; therefore, the agency believes that good cause exists for this document to be published without affording a prior opportunity for public comment or a 30-day delayed effectiveness period. These actions are taken under the authority of 50 CFR 660.323(a)(2), and are exempt from review under E.O. 12866.

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

Dated: August 21, 1998.

**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. 971208297-8054-02; I.D. 081498D]

#### Fisheries of the Economic Exclusive Zone Off Alaska; Groundfish Fisheries by Vessels Using Hook-and-Line Gear in 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 groundfish by vessels using hook-and-line gear in the Gulf of Alaska (GOA), except for sablefish or demersal shelf rockfish. This action is necessary because the third seasonal bycatch allowance of Pacific halibut apportioned to hook-and-line gear targeting groundfish other than sablefish or demersal shelf rockfish in the GOA has been caught.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), September 1, 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 prohibited species bycatch mortality allowance of Pacific halibut for the hook-and-line groundfish fisheries, (defined at § 679.21(d)(4)(iii)(C)), other than sablefish or demersal shelf rockfish, was established by the Final 1998 Harvest Specifications of Groundfish for the GOA (63 FR 12027, March 12, 1998) for the third season, the period September 1, 1998, through December 31, 1998, as 25 mt.

In accordance with § 679.21(d)(7)(ii), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the third seasonal apportionment of the 1998 Pacific halibut bycatch mortality allowance specified for the hook-and-line groundfish fisheries other than sablefish or demersal shelf rockfish in the GOA has been caught. Consequently, NMFS is prohibiting directed fishing for groundfish other than sablefish or demersal shelf rockfish by vessels using hook-and-line gear in the GOA.

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

#### Classification

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately in order to prevent exceeding the third seasonal apportionment of the 1998 Pacific halibut bycatch mortality allowance specified for the GOA hook-and-line groundfish fisheries other than sablefish or demersal shelf rockfish. A delay in the effective date is impracticable and contrary to the public interest. The third seasonal bycatch allowance of Pacific halibut apportioned to hook-and-line gear targeting groundfish other than sablefish or demersal shelf rockfish in the GOA has been caught. Further delay would only result in exceeding the third seasonal apportionment. NMFS finds for good cause that the implementation of this action can 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 § 679.21 and is exempt from review under E.O. 12866.

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

Dated: August 20, 1998.

**Gary C. Matlock,**

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

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