

§ 679.21(e)(4)(iv)(F), was established as 6,938 animals by the Final 1998 Harvest Specifications of Groundfish for the BSAI (63 FR 12689, March 16, 1998).

The red king crab savings subarea as described at § 679.21 (e)(3)(ii)(B), is located within Zone 1 and is apportioned a separate allocation of red king crab bycatch. That subarea is not affected by this action.

In accordance with § 679.21(e)(7), the Administrator, Alaska Region, NMFS, has determined that the 1998 bycatch allowance of red king crab apportioned to the trawl pollock/Atka mackerel/"other species" fishery in Zone 1 has been caught. Consequently, NMFS is closing directed fishing for pollock by trawl vessels using nonpelagic trawl gear in Zone 1 except for the red king crab savings subarea.

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 to prevent exceeding the 1998 bycatch allowance of red king crab specified for the trawl pollock/Atka mackerel/"other species" fishery category in Zone 1. Providing prior notice and an opportunity for public comment on this action is impracticable and contrary to the public interest. The fleet will soon take the bycatch allowance. Further delay would only result in the bycatch allowance of red king crab being exceeded and disrupt the FMP's objective of limiting the bycatch of trawl red king crab. NMFS finds for good cause that the implementation of this action cannot be delayed for 30 days. Accordingly, under 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: September 28, 1998.

Bruce C. Morehead,

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

[FR Doc. 98-26289 Filed 9-28-98; 2:03 pm]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 971208298-8055-02; I.D. 092898A]

Fisheries of the Exclusive Economic Zone Off Alaska; Pollock by Trawl Vessels Using Nonpelagic Trawl Gear in Bering Sea and Aleutian Islands

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

ACTION: Closure.

SUMMARY: NMFS is closing directed fishing for pollock by trawl vessels using nonpelagic trawl gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the 1998 Pacific halibut bycatch allowance specified for the trawl pollock/Atka mackerel/"other species" fishery category.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), September 28, 1998, until 2400 hrs, A.l.t., December 31, 1998.

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

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI exclusive economic zone 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. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

In accordance with § 679.21(e)(3)(iv)(F), the Final 1998 Harvest Specifications of Groundfish for the BSAI (63 FR 12689, March 16, 1998) established the 1998 Pacific halibut bycatch allowance specified for the BSAI pollock/Atka mackerel/"other species" fishery category as 324 metric tons.

In accordance with § 679.21(e)(7)(v), the Administrator, Alaska Region, NMFS, has determined that the 1998 Pacific halibut bycatch allowance specified for the trawl pollock/Atka mackerel/"other species" fishery in the BSAI has been caught. Consequently, NMFS is closing directed fishing for pollock by trawl vessels using nonpelagic trawl gear in the BSAI.

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 to prevent exceeding the 1998 Pacific halibut bycatch allowance specified for the trawl pollock/Atka mackerel/"other species" fishery category in the BSAI. A delay in the effective date is impracticable and contrary to the public interest. The fleet will soon take the Pacific halibut bycatch allowance specified for the trawl pollock/Atka mackerel/"other species" fishery category in the BSAI. Further delay would only result in exceeding the Pacific halibut bycatch allowance. 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.

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: September 28, 1998.

Bruce C. Morehead,

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

[FR Doc. 98-26288 Filed 9-28-98; 2:03 pm]

BILLING CODE 3510-22-F