

4. On page 43533, Table 18 is corrected to read as follows:

TABLE 18 TO PART 679.—REQUIRED BUYING AND PRODUCTION FORMS FOR USE WITH STATE OF ALASKA COMMERCIAL OPERATOR'S ANNUAL REPORT (COAR)

| Fishery | Form Number and Name |
|--------------------------------|--|
| Salmon | <p><i>Salmon Buying</i></p> <p>(A)(1) Seine gear</p> <p>(A)(1) Gillnet gear</p> <p>(A)(2) Troll gear</p> <p>(A)(2) Hatchery</p> <p>(A)(3) Miscellaneous gear</p> <p><i>King Salmon Production</i></p> <p>(B)(1) Production</p> <p>(B)(1) Canned Production</p> <p><i>Sockeye Salmon Production:</i></p> <p>(B)(2)(i) Production</p> <p>(B)(2)(ii) Canned Production</p> <p><i>Coho Salmon Production</i></p> <p>(B)(3)(i) Production</p> <p>(B)(3)(ii) Canned Production</p> <p><i>Pink Salmon Production</i></p> <p>(B)(4)(i) Production</p> <p>(B)(4)(ii) Canned Production</p> <p><i>Chum Salmon Production</i></p> <p>(B)(5)(i) Production</p> <p>(B)(5)(ii) Canned Production</p> <p><i>Salmon Roe & Byproduct Production</i></p> <p>(B)(6)(i) Roe</p> <p>(B)(6)(ii) Byproduct Production</p> |
| Herring | <p>Herring Buying</p> <p>(C)(1)(i) Seine gear</p> <p>(C)(1)(ii) Gillnet gear</p> <p>(C)(2)(i) Gillnet gear</p> <p>(C)(2)(ii) Pound gear</p> <p>(C)(2)(iii) Hand-pick gear</p> <p>Herring Production</p> <p>(D)(1)(i) Production</p> <p>(D)(1)(ii) Byproduct Production</p> |
| Crab | <p>(E) <i>Crab Buying</i></p> <p>(F) <i>Crab Production</i></p> |
| Shrimp/Miscellaneous Shellfish | <p>(G) <i>Shrimp/Misc. Shellfish Buying</i></p> <p>(G)(1)(i) Trawl gear</p> <p>(G)(1)(ii) Pot gear</p> <p>(G)(1)(iii) Diving/picked gear</p> <p>(G)(1)(iv) Other gear (specify)</p> <p>(H) <i>Shrimp/Misc. Shellfish/Finfish Production</i></p> |
| Groundfish | <p>(I)(1) <i>Groundfish Buying</i></p> <p>(I)(2) <i>Groundfish Buying</i></p> <p>(J)(1) <i>Groundfish Production</i></p> <p>(J)(2) <i>Groundfish Production</i></p> |

TABLE 18 TO PART 679.—REQUIRED BUYING AND PRODUCTION FORMS FOR USE WITH STATE OF ALASKA COMMERCIAL OPERATOR'S ANNUAL REPORT (COAR)—Continued

| Fishery | Form Number and Name |
|-------------------|--|
| Halibut | (K) Halibut Buying & Production |
| Custom Production | <p><i>Custom Production</i></p> <p>(L)(1) Associated Processors</p> <p>(L)(1)(i) Custom Fresh/Frozen</p> <p>(L)(1)(ii) Misc. production</p> <p>(L)(1)(iii) Custom Canned Production</p> <p>(L)(2) (additional sheet)</p> |
| PRICES NOT FINAL | <p>(M)(1) Fish Buying Retro Payments</p> <p>(M)(2) Post-season Adjustments</p> |

October 24, 2001.
William T. Hogarth,
Assistant Administrator for Fisheries,
National Marine Fisheries
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DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
50 CFR Part 679

[Docket No. 010112013-1013-01; I.D. 102901A]
Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole by Vessels Using Trawl Gear in Bycatch Limitation Zone 1 of the Bering Sea and Aleutian Islands Management Area

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

ACTION: Closure.

SUMMARY: NMFS is closing directed fishing for yellowfin sole by vessels using trawl gear in Bycatch Limitation Zone 1 (Zone 1) of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the 2001 bycatch allowance of red king crab specified for the trawl yellowfin sole fishery category in Zone 1.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), October 29, until 2400 hrs, A.l.t., December 31, 2001.

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 at 50 CFR part 679.

The 2001 red king crab bycatch allowance specified for Zone 1 of the BSAI trawl yellowfin sole fishery category, which is defined at § 679.21(e)(3)(iv)(B)(1), is 11,664 animals (66 FR 7276, January 22, 2001 and 66 FR 37167, July 17, 2001).

In accordance with § 679.21(e)(7)(ii), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the 2001 bycatch allowance of red king crab specified for the trawl yellowfin sole fishery in Zone 1 of the BSAI has been caught. Consequently, the Regional Administrator is closing directed fishing for yellowfin sole by vessels using trawl gear in Zone 1 of 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. The Assistant Administrator for Fisheries, NOAA, finds that the need to immediately implement this action to avoid exceeding the red king crab bycatch allowance for the yellowfin sole fishery category constitutes good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(3)(B) and at 50 CFR 679.20(b)(3)(iii)(A), as such procedures would be unnecessary and contrary to the public interest. Similarly, the need to implement these measures in a timely fashion to avoid exceeding the red king crab bycatch allowance for the yellowfin

sole fishery category constitutes good cause to find that the effective date 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 50 CFR 679.21 and is exempt from review under Executive Order 12866.

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

Dated: October 29, 2001.

Bruce C. Morehead

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

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