

## Table 5 (South) continued

- 1/ "South" means 40°10' N. lat. to the U.S.-Mexico border. 40°10' N. lat. is about 20 nm south of Cape Mendocino, CA.
- 2/ Yellowtail rockfish is included in the trip limits for minor shelf rockfish and POP is included in the trip limits for minor slope rockfish.
- 3/ "Other flatfish" means all flatfish at 50 CFR 660.302 except those in this Table 5 with species specific management measures, including trip limits.
- 4/ The size limit for lingcod is 24 inches (61 cm) total length.
- 5/ Closed means that it is prohibited to take and retain, possess, or land the designated species in the time or area indicated. See IV. A.(7).
- 6/ Other fish are defined at 50 CFR 660.302, as those groundfish species or species groups for which there is no trip limit, size limit, quota, or harvest guideline.
- 7/ The "Rockfish Conservation Area" is a gear and/or sector specific closed area generally described by depth contours, but specifically defined by lat./long. coordinates set out at IV. A.(19)(e), that may vary seasonally.
- 8/ During July-August, between a line drawn due south from Point Fermin (33° 42' 30" N. lat.; 118° 17' 30" W. long.) and a line drawn due west from the Newport South Jetty (33° 35' 37" N. lat.; 117° 52' 50" W. long.), vessels fishing for all federal groundfish species, except lingcod and all rockfish other than California scorpionfish, with hook&line and/or trap (or pot) gear may operate from shore to a seaward boundary line which approximates 50 fm.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

\* \* \* \* \*

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

Dated: July 17, 2003.

Rebecca Lent,

Deputy Assistant Administrator for  
Regulatory Programs, National Marine  
Fisheries Service.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 021122286-3036-02; I.D.  
071803A]

#### Fisheries of the Exclusive Economic Zone off Alaska; Pelagic Shelf Rockfish in the West Yakutat District 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 pelagic shelf rockfish in the  
West Yakutat District of the Gulf of  
Alaska (GOA). This action is necessary  
to prevent exceeding the 2003 total  
allowable catch (TAC) of pelagic shelf  
rockfish in this area.

DATES: Effective 1200 hrs, Alaska local  
time (A.l.t.), July 20, 2003, through 2400  
hrs, A.l.t., December 31, 2003.

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

SUPPLEMENTARY INFORMATION: NMFS  
manages the groundfish fishery in the  
GOA exclusive economic zone  
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. 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.

The 2003 TAC of pelagic shelf  
rockfish for the West Yakutat District  
was established as 640 metric tons (mt)  
by the final 2003 harvest specifications  
for groundfish in the GOA (68 FR 9924,  
March 3, 2003).

In accordance with § 679.20(d)(1)(i),  
the Administrator, Alaska Region,  
NMFS (Regional Administrator), has  
determined that the 2003 TAC for  
pelagic shelf rockfish in the West  
Yakutat District will be reached.  
Therefore, the Regional Administrator is  
establishing a directed fishing  
allowance of 630 mt, and is setting aside  
the remaining 10 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 pelagic shelf  
rockfish in the West Yakutat District of  
the GOA.

### Classification

This action responds to the best  
available information recently obtained  
from the fishery. The Assistant  
Administrator for Fisheries, NOAA  
(AA), finds 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)(B) as such requirement is  
contrary to the public interest. This  
requirement is contrary to the public  
interest as it would delay the closure of  
the fishery, lead to exceeding the 2003  
TAC for pelagic shelf rockfish in the  
Western Yakutat District of the GOA,  
and therefore reduce the public's ability  
to use and enjoy the fishery resource.

The AA also finds good cause to  
waive the 30-day delay in the effective  
date of this action under 5 U.S.C.  
553(d)(3). This finding is based upon  
the reasons provided above for waiver of  
prior notice and opportunity for public  
comment.

This action is required by § 679.20  
and is exempt from review under  
Executive Order 12866.

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

Dated: July 18, 2003.

John H. Dunnigan

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

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