

has been compiled in aggregate form and is available for public review during business hours at the Northwest Regional Office or Southwest Regional Office.

**FOR FURTHER INFORMATION CONTACT:** William L. Robinson, 206-526-6140, or Rodney R. McInnis, 310-980-4030.

**SUPPLEMENTARY INFORMATION:** Regulations governing the ocean salmon fisheries at 50 CFR 660.409(a)(1) state that when a quota for the commercial or the recreational fishery, or both, for any salmon species in any portion of the fishery management area is projected by the Regional Director to be reached on or by a certain date, NMFS will, by notice issued under 50 CFR 660.411, close the commercial or recreational fishery, or both, for all salmon species in the portion of the fishery management area to which the quota applies as of the date the quota is projected to be reached.

In the annual management measures for ocean salmon fisheries (61 FR 20175, May 6, 1996), NMFS announced that the 1996 commercial fishery in the area between the Oregon-California border and Humboldt South Jetty, CA, would open on August 15 and continue through August 31 or attainment of the 2,500 chinook salmon quota, whichever occurred first. NMFS also announced that a 1996 commercial fishery contingency season in the area between the U.S.-Canadian border and Leadbetter Point, WA, would open on July 26 and continue through September 30 or attainment of the 18,800 chinook salmon quota, whichever occurred first. An inseason action at 61 FR 40157, August 1, 1996, announced implementation of the contingency season. A further inseason action at 61 FR 43472, August 23, 1996, increased the commercial coho salmon quota for the area to 20,800 fish.

The best available information on August 21 indicated that catch and effort data and projections supported closure of the commercial fishery in the area between the Oregon-California border and Humboldt South Jetty, CA, at midnight, August 22, and closure of the commercial fishery in the area between the U.S.-Canadian border and Leadbetter Point, WA, at midnight, August 24.

The Regional Director consulted with representatives of the Pacific Fishery Management Council, the California Department of Fish and Game, and the Washington Department of Fish and Wildlife regarding these closures. The States of California and Washington will manage the commercial fishery in state waters adjacent to these areas of the

exclusive economic zone in accordance with this Federal action. As provided by the inseason notice procedures of 50 CFR 660.411, actual notice to fishermen of this action was given prior to 2400 hours local time, August 22, 1996 (closure from the Oregon-California border to Humboldt South Jetty, CA) and 2400 hours local time, August 24, 1996 (closure from the U.S.-Canadian border to Leadbetter Point, WA) by telephone hotline number 206-526-6667 or 800-662-9825 and by U.S. Coast Guard Notice to Mariners broadcasts on Channel 16 VHF-FM and 2182 kHz. Because of the need for immediate action to stop the fishery upon achievement of the quota, NMFS has determined that good cause exists for this notice to be issued without affording a prior opportunity for public comment. This notice does not apply to other fisheries that may be operating in other areas.

#### Classification

This action is authorized by 50 CFR 660.409 and 660.411 and is exempt from review under E.O. 12866.

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

Dated: September 5, 1996

Gary C. Matlock,

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

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#### 50 CFR Part 679

[Docket No. 960129019-6019-01; I.D. 090696D]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Sharpchin and Northern Rockfish in the Aleutian Islands Subarea

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

**ACTION:** Inseason adjustment; request for comments.

**SUMMARY:** NMFS issues an inseason adjustment prohibiting retention of Atka mackerel in the Aleutian Islands subarea of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent overfishing of the sharpchin/northern rockfish species group.

**DATES:** 1200 hrs, Alaska local time (A.l.t.), September 7, 1996, until 2400 hrs, A.l.t., December 31, 1996. Comments must be received at the following address no later than 4:30 p.m., A.l.t., September 23, 1996.

**ADDRESSES:** Comments may be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori Gravel, or be delivered to the fourth floor of the Federal Building, 709 West 9th Street, Juneau, AK.

**FOR FURTHER INFORMATION CONTACT:** Andrew Smoker, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the BSAI exclusive economic zone is managed by NMFS 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 Fishery Conservation and Management Act (Magnuson 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 Magnuson Act requires that conservation and management measures prevent overfishing. The 1996 overfishing level for the sharpchin/northern rockfish species group in the Aleutian Islands subarea of the BSAI is established by the Final 1996 Harvest Specifications of Groundfish (61 FR 4311, February 5, 1996) as 5,810 metric tons (mt) and the acceptable biological catch as 5,810 mt. As of August 24, 1996, 6,578 mt of sharpchin/northern rockfish have been caught.

NMFS closed directed fishing for sharpchin/northern rockfish on May 30, 1996 (61 FR 28072, June 4, 1996) and prohibited retention of sharpchin/northern rockfish on July 27, 1996 (61 FR 40158, August 1, 1996). Substantial trawl fishing effort will be directed at remaining amounts of Atka mackerel in the Aleutian Islands subarea during 1996. This fishery can have a significant bycatch of sharpchin/northern rockfish.

The Administrator, Alaska Region, NMFS, has determined, in accordance with § 679.25(a)(1)(i) and (a)(2)(iii), that closing the season by prohibiting retention of Atka mackerel by vessels using trawl gear is necessary to prevent overfishing of the sharpchin/northern rockfish species group, and is the least restrictive measure to achieve that purpose. Without this prohibition of retention, significant incidental catch of sharpchin/northern rockfish would occur by trawl vessels targeting Atka mackerel.

Therefore, NMFS is requiring that further catches of Atka mackerel by vessels using trawl gear in the Aleutian Islands subarea of the BSAI be treated as prohibited species in accordance with § 679.21(b)(2).

The Assistant Administrator for Fisheries, NOAA, finds for good cause that providing prior notice and public comment or delaying the effective date of this action is impracticable and contrary to the public interest. Immediate effectiveness is necessary to prevent overfishing of sharpchin/northern rockfish in the Aleutian Islands subarea of the BSAI. Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until September 23, 1996.

#### Classification

This action is taken under § 679.20 and is exempt from OMB review under E.O. 12866.

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

Dated: September 6, 1996.

Gary Matlock,

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

[FR Doc. 96-23321 Filed 9-6-96; 5:02 pm]

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#### 50 CFR Part 679

[Docket No. 960129019-6019-01; I.D. 090696F]

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

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

**ACTION:** Closure.

**SUMMARY:** NMFS is closing the directed fishery 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 BSAI bycatch allowance of halibut specified for the trawl pollock/Atka mackerel/"other species" fishery category.

**EFFECTIVE DATE:** 1200 hrs, Alaska local time (A.l.t.), September 7, 1996, until 2400 hrs, A.l.t., December 31, 1996.

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

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the BSAI exclusive economic zone is managed by the NMFS 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 Fishery

Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 600 and 679.

The 1996 bycatch allowance of halibut specified for the trawl pollock/Atka mackerel/"other species" fishery category which is defined at § 679.21(e)(3)(iv)(F), was established as 430 metric tons by the Final 1996 Harvest Specifications of Groundfish (61 FR 4311, February 5, 1996).

The Administrator, Alaska Region, NMFS, has determined, in accordance with § 679.21(e)(7), that the bycatch allowance of halibut specified for the trawl pollock/Atka mackerel/"other species" fishery category has been reached. Therefore, NMFS is closing the directed fishery for pollock by trawl vessels using nonpelagic trawl gear in the BSAI.

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

#### Classification

This action is taken under 50 CFR 679.21 and is exempt from review under E.O. 12866.

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

Dated: September 6, 1996.

Gary C. Matlock,

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

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