

**FOR FURTHER INFORMATION CONTACT:**  
Mr. Joseph Le Cren, (202) 358-0444.

**SUPPLEMENTARY INFORMATION:**

**Background**

NFS 1842.708(a)(2)(ii) limits the use of quick-closeout to contracts with a value, excluding fee, not greater than \$2 million unless the prior approval of the installation procurement officer is obtained. This entails the preparation of a deviation package for each contract above the threshold for which quick-closeout is to be used. Several NASA installations have processed a number of such deviations over the last few years. In addition, one installation has twice requested and been granted a class deviation to the NFS \$2 million threshold in order to handle the number of contracts above that amount for which the use of quick-closeout procedures was desired. We believe the performance of a risk assessment is a better tool than a limitation on the contract value for ensuring that quick-closeout is properly used.

**Impact**

NASA certifies that this change to its regulations will have significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This change does not impose any reporting or record keeping requirements subject to the Paperwork Reduction Act.

**List of Subjects in 48 CFR Part 1842**

Government procurement.

**Tom Luedtke,**  
*Deputy Associate Administrator for Procurement.*

Accordingly, 48 CFR Part 1842 is amended as follows:

1. The authority citation for 48 CFR Part 1842 continues to read as follows:

**Authority:** 42 U.S.C. 2473(c)(1).

**PART 1842—CONTRACT ADMINISTRATION**

**1842.708 [Amended]**

2. Section 1842.708 is revised to read as follows:

**1842.708 Quick-closeout procedure.**

(a)(2)(ii) The 15 percent parameter does not apply to NASA contracts. Instead, perform a risk analysis that takes into consideration the contractor systems identified in FAR 42.708(a)(2)(ii), as well as the concerns

of the cognizant contract auditor, and any other pertinent information.

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 660**

[Docket No. 961227373-6373-01; I.D. 062797C]

**Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Trip Limit Reductions**

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

**ACTION:** Fishing restrictions; request for comments.

**SUMMARY:** NMFS announces further restrictions to the Pacific Coast groundfish fisheries for lingcod and fixed-gear sablefish on July 1, 1997, and announces a change from 2-month cumulative trip limits to 1-month cumulative trip limits for Dover sole, thornyheads, and trawl-caught sablefish on September 1, 1997. NMFS also warns the industry of the likely closure of the limited entry fisheries for Dover sole, thornyheads, and trawl-caught sablefish in November and December 1997, and possibly earlier. These actions are authorized by regulations implementing the Pacific Coast Groundfish Fishery Management Plan (FMP), which governs the groundfish fishery off Washington, Oregon, and California. These restrictions are intended to keep landings as close as possible to the 1997 harvest guidelines for these species, and to provide management flexibility during the final months of the year.

**DATES:** The trip limit changes for lingcod and fixed-gear sablefish are effective from 0001 hours (local time) July 1, 1997; for trawl vessels operating in the "B" platoon, effective from 0001 hours (local time) July 16, 1997. Changes to the cumulative trip limits for Dover sole, thornyheads, and trawl-caught sablefish are effective 0001 hours (local time) September 1, 1997; for vessels operating in the "B" platoon, effective 0001 hours September 16, 1997. These changes remain in effect until the effective date of the 1998 annual specifications and management measures for the Pacific Coast groundfish fishery, which will be

published in the **Federal Register**, unless modified, superseded, or rescinded. Comments will be accepted through July 22, 1997.

**ADDRESSES:** Submit comments to William Stelle, Jr., Administrator, Northwest Region (Regional Administrator), NMFS, 7600 Sand Point Way NE., Seattle, WA 98115-0070; or William Hogarth, Acting Administrator, Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213.

**FOR FURTHER INFORMATION CONTACT:** William L. Robinson at 206-526-6140 or Rodney McInnis at 562-980-4040.

**SUPPLEMENTARY INFORMATION:** The following changes to routine management measures are based on the best available information, and were recommended by the Pacific Fishery Management Council (Council), in consultation with the states of Washington, Oregon, and California, at its June 23-25, 1997, meeting in Seattle, WA.

**Dover Sole, Thornyheads, and Trawl-Caught Sablefish (the DTS Complex)**

**Year-End Closures.** The catch projections presented at the June 1997 Council meeting indicated that the fishery for Dover sole (north of Cape Mendocino, 40°30' N. lat.), thornyheads (north of Pt. Conception, CA, 34°27' N. lat.), and trawl-caught sablefish would not last through the end of the year. The Council considered whether additional trip limit reductions on July 1, 1997, would reduce the need for closures at the end of the year, or if further reductions would be more likely to increase discards rather than to reduce fishing mortality. The Council considered public testimony and the recommendations of its Groundfish Advisory Subpanel of industry representatives. Many individuals testified that the rate of landings used in the catch projections was unrealistically high and could indicate data errors, that further reductions in trip limits at this time would be translated into discards but not a reduction in fishing mortality, and that a closure at the end of the year would be preferable to reduced trip limits. Therefore, the Council did not recommend further reductions to trip limits on July 1, and assumed that the fishery for the DTS complex would likely be closed in November and December 1997, or as early as September or October if review of the data at the September 1997 Council meeting indicates the harvest guidelines will be reached earlier. Depending on the amount of fish remaining, if any,

provisions may be made for a small bycatch of Dover sole in the petrale sole fishery. Closure of the limited entry thornyhead fishery, when it occurs, is expected to apply north of Pt. Conception, CA, although reductions in the cumulative trip limit south of Pt. Conception may be needed to avoid effort shifts into that area. The Council will make its final recommendation on closure dates at its September 1997 meeting in Portland, OR, and any changes approved by NMFS will be announced in the **Federal Register**.

**Monthly limits.** To provide additional management flexibility in setting closure dates (or severely reduced trip limits), the Council recommended that the 2-month cumulative trip limits for the DTS complex be converted to 1-month cumulative trip limits, effective September 1, 1997. This means the 60-percent monthly limits would become obsolete for those species after September 1.

#### **Limited Entry Fixed-Gear Sablefish Fishery North of 36°00' N. Lat.**

The limited entry fixed-gear sablefish fishery is managed with a daily trip limit that applies outside the regular and mop-up seasons (which together are called the primary season). Testimony at the April 1997 Council meeting indicated that landings by the limited entry fixed-gear fleet were accelerating under the small, 300-lb (136-kg) daily trip limit fishery north of 36°00' N. lat., possibly by vessels expecting not to qualify for the sablefish endorsement that will be required to participate in the regular and mop-up seasons for the limited entry sablefish fishery in 1997 and beyond. To slow the fishery, a monthly cumulative trip limit of 5,100 lb (2,313 kg) was added on May 1, 1997 (62 FR 24845, May 7, 1997), to limit landings under the daily trip limit. Despite this cumulative limit, landings remained high in the daily trip limit fishery. At its June 1997 meeting, the Council expressed its intent to keep landings in the daily trip limit fishery at about 1.1 million lb (499 mt), about 84 mt higher than the amount taken in 1996. (The amount of fish taken in the daily trip limit fishery in 1996 initially was estimated to be 825,000 lb (374 mt), but at the June 1997 Council meeting was revised to 915,000 lb (415 mt).) The Council recommended that landings under the daily trip limit of 300 lb (136 kg) be further restricted on July 1, 1997, by reducing the cumulative monthly limit from 5,100 lb (2,313 kg) to 600 lb (272 kg) in the limited entry fishery north of 36°00' N. lat. This is intended to provide enough sablefish so that the daily trip limit fishery may last to the

end of the year. Because the daily trip limit fishery will be interrupted by the regular and mop-up seasons, the 600-lb (272-kg) cumulative limit also will apply to partial months in which daily trip limits are in effect.

#### **Open Access Fixed-Gear Sablefish Fishery North of 36°00' N. Lat.**

The Council also recommended that the 1,500-lb (680-kg) cumulative monthly limit on sablefish taken under the 300-lb (136-kg) daily trip limit in the open access fishery be reduced from 1,500 lb (680 kg) to 600 lb (272 kg), to be consistent with the limited entry fishery. This limit applies to hook-and-line, pot, and set net gear, but not to exempted trawl gear (e.g., shrimp, prawn, California halibut, and sea cucumber trawls). This limit on the open access fishery is intended to prevent effort shifts into that fishery by limited entry vessels. If adequate amounts of sablefish remain, the cumulative trip limit may be increased later in the year.

#### **Lingcod**

The limited entry fishery for lingcod currently is managed under a 2-month cumulative trip limit of 40,000 lb (18,144 kg). The best available information at the June 1997 Council meeting indicated that 536 mt of lingcod had been taken through May 31, 1997, and that the 2,400-mt harvest guideline would be reached in late September-early October if the rate of landings is not slowed. The Council therefore recommended that the 2-month cumulative trip limit for lingcod be reduced coastwide on July 1, 1997, from 40,000 lb (18,144 kg) to 30,000 lb (13,608 kg), to keep landings within the harvest guideline in 1997. The prohibition against landing lingcod smaller than 22 inches (56 cm), with the exception of 100 lb (45 kg) for trawl caught lingcod, remains in effect. The Council also recommended that the 900 mt estimated for the recreational fishery be evaluated to see if it reflects current levels of harvest.

#### **NMFS Action**

For the reasons stated above, NMFS concurs with the Council's recommendations and makes the following changes to the 1997 annual management measures (62 FR 700, January 6, 1997, as modified).

1. Effective September 1, 1997 (September 16, 1997, for the "B" platoon), for Dover sole, thornyheads, and trawl-caught sablefish (the DTS complex), paragraph E.(2)(b) of section IV. is amended, and paragraph E.(3) is removed, to read as follows:

#### *E. Sablefish and the DTS Complex (Dover Sole, Thornyheads, and Trawl-Caught Sablefish)*

\* \* \* \* \*

(2) \* \* \*

(b) \* \* \*

(i) *North of Cape Mendocino.* The cumulative trip limit for the DTS complex taken and retained north of Cape Mendocino is 28,500 lb (12,927 kg) per vessel per 1-month period. Within this cumulative trip limit, no more than 6,000 lb (2,722 kg) may be sablefish, no more than 15,000 lb (6,804 kg) may be Dover sole, and no more than 7,500 lb (3,402 kg) may be thornyheads. No more than 1,500 lb (680 kg) of the thornyheads may be shortspine thornyheads.

(ii) *South of Cape Mendocino.* The cumulative trip limit for the DTS complex taken and retained south of Cape Mendocino is 50,000 lb (22,680 kg) per vessel per 1-month period. Within this cumulative trip limit, no more than 6,000 lb (2,722 kg) may be sablefish, and no more than 7,500 lb (3,402 kg) may be thornyheads. No more than 1,500 lb (680 kg) of the thornyheads may be shortspine thornyheads.

(iii) *Clarification.* The cumulative monthly trip limits for sablefish and thornyheads are the maximum amount that may be taken and retained, possessed, or landed coastwide in a calendar month. A vessel is not entitled to double the cumulative trip limit if it operates both north and south of Cape Mendocino in a calendar month.

\* \* \* \* \*

2. Effective July 1, 1997, paragraph E.(2)(c) of section IV. for nontrawl sablefish is amended as follows:

#### *E. Sablefish and the DTS Complex (Dover Sole, Thornyheads, and Trawl-Caught Sablefish)*

\* \* \* \* \*

(2) \* \* \*

(c) *Nontrawl trip and size limits.*

(i) *Daily trip limit.* The daily trip limit, which applies to sablefish of any size, is in effect until the closed periods before or after the regular season (as currently specified at 50 CFR 660.323(a)(2)(i)), between the end of the regular season and the beginning of the mop-up season, and after the mop-up season.

(A) The daily trip limit for sablefish taken and retained with nontrawl gear north of 36°00' N. lat. is 300 lb (136 kg), not to exceed 600 lb (272 kg) cumulative in a calendar month in which the daily trip limit is in effect (e.g., August before the start of the regular season, which the Council has recommended to begin on August 25, 1997, but which has not yet been approved by NMFS; in September

after the regular season; and in October after the mop-up season. Exact dates of the regular and mop-up seasons are yet to be announced.)

(B) The daily trip limit for sablefish taken and retained with nontrawl gear south of 36°00' N. lat. is 350 lb (159 kg) with no cumulative limit on the amount of sablefish that may be retained in a month.

\* \* \* \* \*

3. Effective July 1, 1997 (July 16, 1997, for the "B" platoon), for lingcod, paragraph G. of section IV. is amended as follows:

G. *Lingcod* \* \* \*

(1) *Limited entry fishery.* The cumulative trip limit for lingcod is 30,000 lb (13,608 kg) per vessel per 2-month period. The 60-percent monthly limit is 18,000 lb (8,165 kg).

(2) *Open access fishery.* Within the limits at paragraph IV.I. for the open access fishery, the 50-percent monthly limit for lingcod is 15,000 lb (6,804 kg).

\* \* \* \* \*

4. Effective July 1, 1997, for sablefish taken in the open access fishery, paragraph I. of section IV. is amended as follows:

I. *Trip Limits in the Open Access Fishery* \* \* \*

\* \* \* \* \*

(2) \* \* \*

(a) *North of 36°00' N. lat.* The cumulative trip limit for sablefish taken and retained north of 36°00' N. lat. is 600 lb (272 kg) per month. The daily trip limit for sablefish taken and retained north of 36°00' N. lat., which counts toward the cumulative limit, is 300 lb (136 kg). The 600-lb (272-kg) cumulative monthly limit does not apply to exempted trawl gear (used to fish for shrimp, prawn, sea cucumber, and California halibut) in the open access fishery.

\* \* \* \* \*

**Classification**

These actions are authorized by the regulations implementing the FMP. The determination to take these actions is

based on the most recent data available. The aggregate data upon which the determinations are based are available for public inspection at the office of the Regional Administrator (see **ADDRESSES**) during business hours. Because of the need for immediate action to slow the rate of harvest of the species discussed above, and because the public had an opportunity to comment on the action at the June 1997 Council meeting, NMFS has determined 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(b)(1), and are exempt from review under E.O. 12866.

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

Dated: July 1, 1997.

**Gary C. Matlock,**

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

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