

CAPE COD BAY CRITICAL HABITAT CLOSURE AREA

Point	N. latitude	W. longitude
CCB1	42°12' N	70°30' W
CCB2	42°12' N	70°15' W
CCB3	42°08' N	70°12.4' W
Then westerly along the 3 NM state boundary to		
CCB4	42°08' N	70°30' W
Then due north to CCB1		

(2) *Great South Channel Critical Habitat Closure Area.* From April 1 through June 30 of each year, the restrictions and requirements specified in paragraph (b) of this section apply to the Great South Channel Critical Habitat Closure Area (copies of a chart depicting this area are available from the Regional Administrator upon request), which is the area bounded by straight lines connecting the following points in the order stated.

GREAT SOUTH CHANNEL CRITICAL HABITAT CLOSURE AREA

Point	N. latitude	W. longitude
GSC1	41°02.2' N	69°02' W
GSC2	41°43.5' N	69°36.3' W
GSC3	42°10' N	68°31' W
GSC4	41°38' N	68°13' W

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Authority: 16 U.S.C. 1801 *et seq.*
 Dated: October 1, 1997.

David L. Evans,
Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.
 [FR Doc. 97-26469 Filed 10-6-97; 8:45 am]
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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 961210346-7035-02; I.D. 100197A]

Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Available for New Jersey

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

ACTION: Commercial quota availability.

SUMMARY: NMFS announces that summer flounder commercial quota is available to the State of New Jersey to

allow a reopening of the State to landings of summer flounder. Vessels issued a commercial Federal fisheries permit for the summer flounder fishery may resume landings of summer flounder in New Jersey for the remainder of calendar year 1997, or until the remaining quota allocation is harvested.

DATES: Effective October 3, 1997 through December 31, 1997.

FOR FURTHER INFORMATION CONTACT: Regina L. Spallone, Fishery Policy Analyst, (978) 281-9221.

SUPPLEMENTARY INFORMATION: Regulations governing the summer flounder fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is apportioned among the states from North Carolina through Maine. The process to set the annual commercial quota and the percent allocated to each state are described in § 648.100. The initial total commercial quota for summer flounder for the 1997 calendar year was set equal to 11,111,298 lb (5,040,000 kg) (62 FR 10473, March 7, 1997). The percent allocated to vessels landing summer flounder in New Jersey is 16.72499 percent, or 1,858,363 lb (842,939 kg) in 1997. After deducting a 510,771 lb (231,682 kg) overage landed in 1996, as specified in section 648.100(d)(2), New Jersey was left with an adjusted 1997 commercial quota of 1,347,592 lb (611,257 kg) (62 FR 37741, July 15, 1997). Section 648.101(b) requires the Administrator, Northeast Region, NMFS (Regional Administrator), to monitor state commercial quotas and to determine when a state's commercial quota is harvested. Based on dealer reports and other available information, the Regional Administrator determined that the commercial quota available to New Jersey had been harvested, and no quota was available for that State for the remainder of 1997. Thus, effective September 24, 1997 (62 FR 50525, September 26, 1997), summer flounder landings in the State of New Jersey by federally permitted vessels, and purchases by federally permitted dealers, were prohibited for the remainder of 1997. The closure of the State to landings was based on projections of landings from dealer reports. However, due to State action to control landings through trip limits, actual landings have fallen short of projections. Specifically, prior to the NMFS closure, New Jersey closed its directed fishery and landings dropped off significantly. The State now has a bycatch trip limit in place for the remainder of the year (10 percent of total fish on board, up to a maximum of

100 lb/trip (45 kg/trip) until November 1st; 200 lb/trip (91 kg/trip) after that date). Thus, available data indicate that approximately 50,000 lb (22,680 kg) remain in New Jersey's annual commercial quota of 1,347,592 lb (611,257 kg). Since summer flounder commercial quota is available to New Jersey to be harvested, and in order to allow the State to receive the full benefit of its annual allocation of quota, the closure, published on September 26, 1997, is rescinded.

Classification

This action is required by 50 CFR part 648 and is exempt from review under E.O. 12286.

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

Dated: October 2, 1997.

Gary Matlock,

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

[FR Doc. 97-26577 Filed 10-3-97; 10:48 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 961107312-7021-02; I.D. 100197D]

Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the Offshore Component in the Bering Sea 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 closing the season for pollock by vessels catching pollock for processing by the offshore component in the Bering Sea subarea (BS) of the Bering Sea and Aleutian Islands management area (BSAI) at midnight rather than noon. This adjustment is necessary to prevent the underharvest of pollock by vessels catching pollock for processing by the offshore component in the BS of the BSAI.

DATES: Effective 2400 hrs, Alaska local time (A.l.t.), October 2, 1997, until 2400 hrs, A.l.t., December 31, 1997.

Comments must be received at the following address no later than 4:30 p.m., A.l.t., October 22, 1997.

ADDRESSES: Comments may be sent to 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 Groundfish 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 (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.

In accordance with § 679.20(c)(3)(iii), the allocation of the pollock total allowable catch for vessels catching pollock for processing by the offshore component in the BS was established as 679,413 metric tons (mt) by the Final 1997 Harvest Specifications for Groundfish of the BSAI (62 FR 7168, February 18, 1997).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the allocation of the pollock total allowable catch for vessels catching pollock for processing by the offshore component in the BS will soon be reached. The Regional Administrator is establishing a directed fishing allowance of 664,413 mt, and is setting aside the remaining 15,000 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 has been taken. Consequently, NMFS is prohibiting directed fishing for pollock by vessels catching pollock for processing by the offshore component in the BS on October 2, 1997.

Section 679.23(b) specifies that the time of all openings and closures of fishing seasons other than the beginning and end of the calendar fishing year is 1200 hrs, A.l.t. Current information shows the catching capacity of vessels catching pollock for processing by the offshore component is in excess of 11,400 mt per day. The Regional Administrator has determined that the directed fishing allowance for the offshore component would be underharvested if the fishery is closed at 1200 hrs, A.l.t.

In accordance with § 679.25(a)(1)(i), NMFS is adjusting the season for pollock by vessels catching pollock for processing by the offshore component in the BS subarea of the BSAI by prohibiting directed fishing at 2400 hrs, A.l.t., October 2, 1997. NMFS is taking this action to prevent the underharvest of the pollock allocation to vessels catching pollock for processing by the offshore component in the BS of the BSAI as authorized by § 679.25(a)(2)(i)(C). In accordance with § 679.25(a)(2)(iii), NMFS has determined that closing the season at 2400 hrs on October 2, 1997, is the least restrictive management adjustment to harvest the pollock allocated to vessels

catching pollock for processing by the offshore component in the BS of the BSAI and will allow other fisheries to continue in noncritical areas and time periods.

Classification

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. Failure to close the season for pollock by vessels catching pollock for processing by the offshore component in the BS on October 2, 1997, would likely result in the overharvest of the pollock allocation. Without this inseason adjustment extending the closure time from noon to midnight, the pollock allocation for vessels catching pollock for processing by the offshore component in the BS of the BSAI would be underharvested, resulting in an economic loss of more than \$1,500,000. Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until October 22, 1997.

This action is required by § 679.25 and is exempt from review under E.O. 12866.

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

Dated: October 2, 1997.

Gary C. Matlock,

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

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