

service vehicle or equipment used in revenue service, unless the recipient receives funding under 49 U.S.C. 5309, is in an area less than 50,000 in population and contracts out such services, or funding under 49 U.S.C. 5311 and contracts out such services.

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Issued on: December 23, 1998.

Gordon J. Linton,
Administrator.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[I.D. 122398E]

Fisheries of the Northeastern United States; Atlantic Surf Clam and Ocean Quahog Fishery; Minimum Clam Size for 1999

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

ACTION: Notice of suspension of surf clam minimum size limit.

SUMMARY: NMFS informs the public that the minimum size limit of 4.75 inches (12.065 cm) for Atlantic surf clams is suspended for the 1999 fishing year. The intended effect is to relieve the industry from a regulatory burden that is not necessary as the majority of surf clams harvested are larger than the minimum size limit.

DATES: January 1, 1999, through December 31, 1999.

FOR FURTHER INFORMATION CONTACT: David Gouveia, Fishery Management Specialist, 978-281-9280.

SUPPLEMENTARY INFORMATION: Federal regulations implementing the Fishery Management Plan for the Atlantic Surf Clam and Ocean Quahog Fisheries (FMP) allow the Regional Administrator, Northeast Region, NMFS (Regional Administrator), to suspend annually by publication of an announcement in the **Federal Register**, the minimum size limit for Atlantic surf clams (50 CFR 648.72(c)). This action may be taken unless discard, catch, and survey data indicate that 30 percent of the Atlantic surf clam resource is smaller than 4.75 inches (12.065 cm) and the overall reduced size is not attributable to beds where growth of the individual clams has been reduced because of density-dependent factors.

At its August meeting, the Mid-Atlantic Fishery Management Council (Council) accepted the recommendations of its Surf Clam/Ocean Quahog Committee and voted to recommend that the Regional Administrator suspend the minimum size limit for surf clams in 1999. Commercial surf clam shell length data for 1998 indicate that only 11.3 percent of the samples were composed of surf clams that were less than 4.75 inches (12.07 cm). Based on these data, the Regional Administrator adopts the Council's recommendation and publishes this announcement to suspend the minimum size limit for Atlantic surf clams for the period January 1, 1999, through December 31, 1999.

This action is authorized by 50 CFR part 648 and is exempt from review under E.O. 12866.

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

Dated: December 29, 1998.

Gary C. Matlock,

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

[FR Doc. 98-34834 Filed 12-30-98; 3:06 pm]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 981222313-8320-02; I.D. 122898C]

Fisheries of the Exclusive Economic Zone Off Alaska; Closures of Specified Groundfish Fisheries in the Bering Sea and Aleutian Islands

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

ACTION: Closure.

SUMMARY: NMFS is closing specified groundfish fisheries in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the prohibited species bycatch allowances and directed fishing allowances specified for the 1999 interim total allowable catch (TAC) amounts.

DATES: Effective 0001 hrs, Alaska local time (A.l.t.), January 1, 1999, until superseded by the notice of Final 1999 Harvest Specification for Groundfish, which will be published in the **Federal Register**.

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 50 CFR part 679.

In accordance with § 679.20(d), if the Administrator, Alaska Region, NMFS (Regional Administrator) determines that the amount of a target species or "other species" category apportioned to a fishery will be reached, the Regional Administrator may establish a directed fishing allowance for that species or species group. If the Regional Administrator establishes a directed fishing allowance, and that allowance is or will be reached before the end of the fishing year, NMFS will prohibit directed fishing for that species or species group in the specified subarea or district (§ 697.20(d)(1)(iii)). Similarly, under § 679.21(e), if the Regional Administrator determines that a fishery category's bycatch allowance of halibut, red king crab, or *C. bairdi* Tanner crab for a specified area has been reached, the Regional Administrator will prohibit directed fishing for each species in that category in the specified area.

NMFS will publish interim 1999 harvest specifications for these groundfish fisheries in the January 4, 1999, publication of the **Federal Register**. The Regional Administrator has determined that the interim TAC amounts of the following species will be reached and will be necessary as incidental catch to support other anticipated groundfish fisheries prior to the time that final specifications for groundfish are likely to be in effect for the 1999 fishing year. Consequently, in accordance with § 679.20(d)(i), the Regional Administrator establishes these interim TAC amounts as directed fishing allowances.

Pollock: Bogoslof District
Pacific ocean perch: Bering Sea subarea
"Other rockfish": Bering Sea subarea
"Other red rockfish": Bering Sea subarea
Sharpchin/northern rockfish: Aleutian Islands subarea
Shorthead/rougheye rockfish: Aleutian Islands subarea
"Other rockfish": Aleutian Islands subarea

Further, the Regional Administrator finds that these directed fishing allowances will be reached before the end of the year. Therefore, in accordance with § 679.20(d), NMFS is prohibiting directed fishing for these species in the specified areas. In addition, the interim BSAI halibut bycatch allowance specified for the trawl rockfish fishery and the trawl Greenland turbot/arrowtooth flounder/sablefish fishery categories, defined at § 679.21(e)(3)(iv)(C) and (D), is 0 mt. In accordance with § 679.21(e)(7)(iv), therefore, NMFS is prohibiting directed fishing for the following species:

Rockfish by vessels using trawl gear:

BSAI

Greenland turbot/arrowtooth flounder/sablefish by vessels using trawl gear:

BSAI

These closures will be in effect beginning at 0001 hours, A.l.t., January 1, 1999, until superseded by the notice of Final 1999 Initial Harvest Specifications for Groundfish.

The maximum retainable bycatch amounts at § 679.20 (e) and (f) apply at any time during a fishing trip while these closures are in effect. These closures to directed fishing are in addition to closures and prohibitions found in regulations at 50 CFR part 679. Refer to § 679.2 for definitions of areas. In the BSAI, "Other rockfish" includes *Sebastes* and *Sebastolobus* species, except for Pacific ocean perch and the "other red rockfish" species. "Other red rockfish" includes shortraker, rougheye, sharpchin, and northern rockfish.

NMFS may implement other closures under the interim specifications, at the time the notice of Final 1999 Initial Harvest Specifications are implemented or during the 1999 fishing year, as necessary for effective conservation and management.

Classification

This action is required by § 679.20 and is exempt from review under E.O. 12866.

This action responds to the interim TAC limitations and other restrictions on the fisheries established in the interim 1999 harvest specifications for groundfish for the BSAI. It must be implemented immediately to prevent overharvesting the 1999 interim TAC of several groundfish species in the BSAI. A delay in the effective date is impracticable and contrary to the public interest. The fleet will begin to harvest groundfish on January 1, 1999. Further delay would only result in overharvest. NMFS finds for good cause that the implementation of this action should not be delayed for 30 days. Accordingly,

under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

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

Dated: December 29, 1998.

Gary C. Matlock,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 981222314-8321-02; I.D. 122898B]

Fisheries of the Exclusive Economic Zone Off Alaska; Closures of Specified Groundfish Fisheries in the Gulf of Alaska

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

ACTION: Closure.

SUMMARY: NMFS is closing specified groundfish fisheries in the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the directed fishing allowances specified for the 1999 interim total allowable catch (TAC) amounts for the GOA.

DATES: Effective 0001 hrs, Alaska local time (A.l.t.), January 1, 1999, until superseded by the notice of Final 1999 Harvest Specification for Groundfish, which will be published in the **Federal Register**.

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.

In accordance with § 679.20(d), if the Administrator, Alaska Region, NMFS (Regional Administrator), determines that the amount of a target species or "other species" category apportioned to a fishery will be reached, the Regional Administrator may establish a directed fishing allowance for that species or species group. If the Regional

Administrator establishes a directed fishing allowance, and that allowance is or will be reached before the end of the fishing year, NMFS will prohibit directed fishing for that species or species group in the specified GOA Regulatory Area or district (§ 679.20(d)(1)(iii)).

NMFS will publish interim 1999 harvest specifications for these groundfish fisheries in the January 4, 1999, publication of the **Federal Register**. The Regional Administrator has determined that the following interim TAC amounts will be reached and are necessary as incidental catch to support other anticipated groundfish fisheries prior to the time that final specifications for groundfish are likely to be in effect for the 1999 fishing year:

Thornyhead rockfish: entire GOA

Atka mackerel: entire GOA

Sablefish: entire GOA

Shortraker/rougheye rockfish: entire GOA

Deep-water flatfish: Western Regulatory Area

Northern rockfish: Eastern Regulatory Area

"Other rockfish": Western and Central Regulatory Area

Consequently, in accordance with § 679.20(d)(i), the Regional Administrator establishes these interim TAC amounts as directed fishing allowances.

Further, The Regional Administrator finds that these directed fishing allowances will be reached before the end of the year. Therefore, in accordance with § 679.20(d), NMFS is prohibiting directed fishing for these species in the specified areas.

These closures will be in effect beginning at 0001 hours, A.l.t., January 1, 1999, until superseded by the notice of Final 1999 Initial Harvest Specifications for Groundfish.

The maximum retainable bycatch amounts at § 679.20(e) and (f) apply at any time during a fishing trip while these closures are in effect. Additional closures and restrictions may be found in existing regulations at 50 CFR part 679. These closures to directed fishing are in addition to closures and prohibitions found in regulations at 50 CFR part 679. Refer to § 679.2 for definitions of areas. The definitions of GOA deep-water flatfish and "Other rockfish" species categories are provided in the January 4, 1999, **Federal Register** publication of the interim 1999 harvest specifications.

NMFS may implement other closures under the interim specifications, at the time the notice of Final 1999 Initial Harvest Specifications are implemented,