

landings were 1.3 million lbs (0.6 million kg), 32 percent fewer than the 1997 harvest limit of 1.947 million lbs (0.88 million kg). In 1996, with a 7-inch (17.78-cm) minimum size, recreational landings were 2.3 million lbs (1.04 million kg) or 16 percent greater than the limit. Given the variability, NMFS believes it is reasonable to maintain the 7-inch (17.78-cm) minimum size for 1997. Additional discussion of the 7-inch (17.78-cm) minimum size limitation may be found in the proposed rule (72 FR 18309, April 15, 1997).

#### Classification

This action is authorized by 50 CFR part 648 and has been determined to be not significant for purposes of E.O. 12866.

The Assistant General Counsel for Legislation and Regulation, Department of Commerce, certified to the Chief Counsel for Advocacy of the Small Business Administration that this rule, if adopted as proposed, would not have a significant economic impact on a substantial number of small entities. The reasons were given in the preamble to the proposed rule and are not repeated here. No comments were received regarding this certification. As a result, a regulatory flexibility analysis was not prepared.

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

Dated: July 10, 1997.

**David L. Evans,**

*Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.*

[FR Doc. 97-18724 Filed 7-15-97; 8:45 am]

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Part 679

[Docket No. 961126334-7025-02; I.D. 071097A]

##### Fisheries of the Exclusive Economic Zone Off Alaska, Northern Rockfish in the Central Regulatory Area of the Gulf of Alaska

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

**ACTION:** Closure.

**SUMMARY:** NMFS is closing directed fishing for northern rockfish in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the northern rockfish total allowable catch (TAC) in the Central Regulatory Area of the GOA.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), July 10, 1997, until 2400 hrs, A.l.t., December 31, 1997.

**FOR FURTHER INFORMATION CONTACT:** Thomas Pearson, 907-486-6919.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the GOA exclusive economic zone is managed by NMFS 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. 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 northern rockfish TAC in the Central Regulatory Area of the Gulf of Alaska was established by the Final 1997 Harvest Specifications of Groundfish for the GOA (62 FR 8179, February 24, 1997) as 4,150 metric tons (mt), determined in accordance with § 679.20 (c)(3)(ii).

In accordance with § 679.20 (d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the northern rockfish TAC in the Central Regulatory Area of the Gulf of Alaska will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 3,750 mt, and is setting aside the remaining 400 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 northern rockfish in the Central Regulatory Area of the GOA.

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

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately to prevent overharvesting the 1997 TAC for northern rockfish in the Central Regulatory Area of the GOA. A delay in the effective date is impracticable and contrary to public interest. The fleet will soon take the directed fishing allowance for northern rockfish. Further delay would only result in overharvest and disrupt the FMP's objective of allowing incidental catch to be retained throughout the year. NMFS finds for good cause that the implementation of this action cannot be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

#### Classification

This action is required by 50 CFR 679.20 and is exempt from review under E.O. 12866.

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

Dated: July 10, 1997.

**Gary C. Matlock,**

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

[FR Doc. 97-18588 Filed 7-10-97; 3:46 pm]

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Part 679

[Docket No. 961126334-7025-02; I.D. 071197A]

##### Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska

**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 Pacific ocean perch and prohibiting directed fishing for groundfish by vessels using trawl gear except fishing for pollock by vessels using pelagic trawl gear in the Western Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent overfishing of Pacific ocean perch in the Western Regulatory Area of the GOA.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), July 11, 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., July 28, 1997.

**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 GOA exclusive economic zone is managed by NMFS 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 (Magnuson-Stevens 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-Stevens Act requires that conservation and management measures prevent overfishing. The 1997 overfishing level for Pacific ocean perch in the Western Regulatory Area of the GOA was established by the Final 1997 Harvest Specifications for Groundfish of the GOA (62 FR 8179, February 24, 1997) as 2,790 metric tons (mt) and the acceptable biological catch as 1,840 mt. As of July 5, 1997, 1,961 mt of Pacific ocean perch have been caught.

NMFS closed directed fishing for Pacific ocean perch on July 3, 1997 (62 FR 36740, July 9, 1997). Substantial trawl fishing effort will be directed at remaining amounts of groundfish in the GOA during 1997. These fisheries can have significant bycatch of Pacific ocean perch.

The Administrator, Alaska Region, NMFS, has determined, in accordance

with § 679.25(a)(1)(i), that closing the season by prohibiting retention of Pacific ocean perch and closing the season for directed fishing for groundfish by vessels using trawl gear except fishing for pollock by vessels using pelagic trawl gear, is necessary to prevent overfishing of Pacific ocean perch and is the least restrictive measure to achieve that purpose. Without this prohibition of retention and closure to directed fishing, significant incidental catch of Pacific ocean perch would occur by trawl vessels targeting these groundfish species and seeking to maximize retainable amounts of Pacific ocean perch under the maximum retainable bycatch amounts at § 679.20(e).

Therefore, NMFS is requiring that further catches of Pacific ocean perch in the Western Regulatory Area of the GOA be treated as prohibited species in accordance with § 679.21(b)(2). NMFS is prohibiting directed fishing for groundfish by vessels using trawl gear except fishing for pollock by vessels using pelagic trawl gear in the Western Regulatory Area of the GOA.

The Assistant Administrator for Fisheries, NOAA, finds for good cause that providing prior notice and public comment on this action is impracticable and contrary to the public interest. Likewise, good cause exists to waive the delay in the effective date. Immediate effectiveness is necessary to prevent overfishing of Pacific ocean perch in the Western Regulatory Area of the GOA. Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until July 28, 1997.

#### Classification

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

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

Dated: July 11, 1997.

**Gary C. Matlock,**

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

[FR Doc. 97-18723 Filed 7-11-97; 3:00 pm]

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