

In many of these cases, the final specifications will allow the fisheries to continue, thus relieving a restriction. Provisions of a rule relieving a restriction under 5 U.S.C. 553(d)(1) are not subject to a delay in the effective date. The immediate effectiveness of this action is required to provide consistent management and conservation of fishery resources and to give the fishing industry the earliest possible opportunity to plan its fishing operations. Accordingly, the Assistant Administrator for Fisheries, NOAA (AA) finds there is good cause to waive the 30-day delayed effectiveness period under 5 U.S.C. 553(d)(3) with respect to such provisions and to the apportionment discussed above.

The apportionment of a portion of the unspecified reserve is necessary to provide increased ITAC to minimize the effect of a reduction in Pacific cod TAC on hook-and-line vessels, to provide for more efficient operation of intensive fast-paced fisheries for Atka mackerel and Pacific ocean perch, and to allow for the orderly conduct of pollock fisheries. Therefore, a delay for prior notice and public procedure is contrary to the public interest. Accordingly, the AA finds there is good cause to waive the requirement for prior notice under 5 U.S.C. 553(b)(3). In accordance with 50 CFR 679(b)(3), comments on the apportionment of reserves are invited by March 31, 1998.

Pursuant to section 7 of the Endangered Species Act, NMFS and the Fish and Wildlife Service have determined that the groundfish fishery operating under the 1998 BSAI TAC specifications is not likely to jeopardize the continued existence or recovery of species listed as endangered or threatened and is not likely to destroy or adversely modify critical habitat.

NMFS prepared an EA on the 1998 TAC specifications. The total harvest levels examined in the EA do not exceed the OY. The models used to derive catch levels are both conservative and based on the best scientific information available. The AA concluded that no significant impact on the human environment will result from implementation of the 1998 specifications. A copy of the EA is available (see **ADDRESSES**).

At the proposed rule stage, the Assistant General Counsel for Legislation and Regulation of the

Department of Commerce certified to the Chief Counsel for the Advocacy of the Small Business Administration that the proposed specifications would not have a significant economic impact on a substantial number of small entities. However, comments received by the Council at its December 1997 meeting, as well as changes in TAC amounts between the proposed and final specifications, led NMFS to conclude that the final specifications may have a significant impact on small entities, and a FRFA has been prepared. The analysis examines the economic effects of changes between the 1997 and 1998 specifications and concludes that, in most cases, TAC amounts are not significantly different between 1997 and 1998 and that the overall impact to the groundfish fishery will be minimal. However, the 22-percent reduction in Pacific cod TAC may cause significant economic impacts to the 100 vessel hook-and-line fleet (a mix of small and large entities) that participates in the Pacific cod fishery.

In taking this action, the Council attempted to minimize this impact by setting Pacific cod TAC equal to ABC, increasing the percentage of Pacific cod allocated to the third seasonal allowance, releasing the nonspecific reserves, and increasing Greenland turbot TAC. A copy of the FRFA is available from NMFS (see **ADDRESSES**).

Authority: 16 U.S.C. 773 *et seq.* 16 U.S.C. 1801 *et seq.*, and 3631 *et seq.*

Dated: March 10, 1998.

David L. Evans,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 971208297-8054-02; I.D. 031098C]

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 1998 total allowable catch (TAC) amounts for the GOA.

DATES: Effective March 11, 1998, until 2400 hrs, A.l.t. December 31, 1998.

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

SUPPLEMENTARY INFORMATION: The groundfish fishery in the exclusive economic zone of the GOA 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.

In accordance with § 679.20(d)(1)(i), if the Administrator, Alaska Region, NMFS (Regional Administrator), determines that the amount of a target species or "other species" category apportioned to a fishery or, with respect to pollock and Pacific cod, to an inshore or offshore component allocation, 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 (§ 697.20(d)(1)(iii)).

The Regional Administrator has determined that the following TAC amounts are necessary as incidental catch to support other anticipated groundfish fisheries for the 1998 fishing year:

Species	Area	TAC (mt)
Thornyhead rockfish	Entire GOA	2,000
Atka mackerel	Entire GOA	600
Sablefish	Trawl apportionment, entire GOA	1,930
"Other rockfish"	Entire GOA	2,170

Species	Area	TAC (mt)
Shortraker/rougheye rockfish	Entire GOA	1,590
Pollock	Inshore component, Statistical Area 610	7,450
	Inshore component, Statistical Area 620	12,510
	Inshore component, Statistical Area 630	9,830
Pollock	Eastern Regulatory Area	5,580
Pollock	Offshore component, entire GOA	0
Pacific cod	Offshore component, Statistical Area 610	1,745
	Offshore component, Statistical Areas 620, 630	3,239
	Offshore component, Statistical Areas 640, 650	94
Pacific cod	Inshore component, Western Regulatory Area	15,703
Pacific cod	Inshore component, Central Regulatory Area	29,153
Deep-water flatfish	Western Regulatory Area	340
Northern rockfish	Eastern Regulatory Area	10

Consequently, in accordance with § 679.20(d)(1)(i), the Regional Administrator establishes these 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)(1)(iii), NMFS is prohibiting directed fishing for these species in the specified areas.

Under authority of the interim 1998 specifications (62 FR 65622, December 15, 1998), pollock fishing opened on January 1, 1998, for amounts specified in that publication. NMFS has since closed Statistical Area 610 to directed fishing for pollock effective 1200 hrs, A.l.t., January 26, 1998 (63 FR 4600, January 30, 1998); Statistical Area 620 to directed fishing for pollock effective 1200 hrs, A.l.t., February 7, 1998 (63 FR 6881, February 11, 1998), Statistical Area 630 to directed fishing for pollock effective 1200 hrs, A.l.t., February 2, 1998 (63 FR 6111, February 6, 1998), and Statistical Areas 640 and 650 to directed fishing for pollock effective 1200 hrs, A.l.t., March 9, 1998 (to be published March 13, 1998). The closures for Statistical Areas 610, 620, and 630 will remain in effect until 1200 hrs, A.l.t., June 1, 1998. The closure for Statistical Areas 640 and 650 will remain in effect until 2400 hrs, A.l.t., December 31, 1998.

Under authority of the interim 1998 specifications (62 FR 65622, December 15, 1998), Pacific cod fishing opened on January 1, 1998, for amounts specified in that notice. NMFS has since closed Statistical Area 610 to directed fishing for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Western Regulatory Area effective 1200 hrs, A.l.t., March 3, 1998 (63 FR 11160, March 6, 1998) and Statistical Areas 620 and 630 to directed fishing for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area effective 1200 hrs,

A.l.t., March 10, 1998 (published on March 13, 1998).

The closures in this document supersede the closures announced in, or under authority of, the 1998 interim specifications (62 FR 62622, December 15, 1997). While the closures in this document are in effect, the maximum retainable bycatch amounts at § 679.20 (e) and (f) apply at any time during a fishing trip. The closures to directed fishing in this document 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 **Federal Register** publication of the Final 1998 Harvest Specifications.

NMFS may implement other closures during the 1998 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 TAC limitations and other restrictions on the fisheries established in the Final 1998 Harvest Specifications for Groundfish for the GOA. It must be implemented immediately to prevent overharvesting the 1998 TACs for several groundfish species in the GOA. A delay in the effective date is impracticable and contrary to the public interest. The fleet is currently harvesting groundfish, and 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: March 11, 1998.

Bruce C. Morehead,

Acting 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. 971208298-8055-02; I.D. 031198A]

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 1998 BSAI groundfish fisheries.

DATES: Effective March 11, 1998, through 2400 hrs, A.l.t. December 31, 1998.

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

SUPPLEMENTARY INFORMATION: The groundfish fishery in the BSAI 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-Stevens Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by