

under both the "inshore component in the GOA" and the "offshore component in the BSAI" or under both the "offshore component in the GOA" and the "inshore component in the BSAI" definitions in § 679.2 during the same fishing year.

(vii) (Applicable through December 31, 2001). Operate any vessel that processes pollock or Pacific cod, harvested in a directed fishery for those species, at a single location in Alaska State waters under the "inshore component in the BSAI" and the "inshore component in the GOA" definitions in § 679.2 during the same fishing year.

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4. In § 679.20, paragraphs (a)(6), (b)(2), and (c)(4) are revised to read as follows:

§ 679.20 General limitations.

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(a) * * * (6) Inshore-offshore apportionments—(i) BSAI pollock (applicable through December 31, 2004). The apportionment of pollock in each BSAI subarea or district and season between the inshore component in the BSAI and the offshore component in the BSAI will be the same as that specified in section 206(b) of the American Fisheries Act.

(ii) GOA pollock (applicable through December 31, 2001). The apportionment of pollock in all GOA regulatory areas and for each season allowance described in paragraph (a)(5)(ii) of this section will be allocated entirely to vessels catching pollock for processing by the inshore component in the GOA after subtraction of an amount that is projected by the Regional Administrator to be caught by, or delivered to, the offshore component in the GOA incidental to directed fishing for other groundfish species.

(iii) GOA Pacific cod (applicable through December 31, 2001). The apportionment of Pacific cod in all GOA regulatory areas will be allocated 90 percent to vessels catching Pacific cod for processing by the inshore component in the GOA and 10 percent to vessels catching Pacific cod for processing by the offshore component in the GOA.

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(b) * * * (2) * * *

(i) Pollock inshore-offshore reapportionment (applicable through December 31, 2001). Any amounts of the GOA reserve that are reapportioned to pollock as provided by this paragraph (b) must be apportioned between the inshore component in the GOA and the offshore component in the GOA in the same proportion specified in paragraph (a)(6)(ii) of this section.

(ii) Pacific cod inshore-offshore reapportionment (applicable through December 31, 2001). Any amounts of the GOA reserve that are reapportioned to Pacific cod as provided by this paragraph (b) must be apportioned between the inshore component in the GOA and the offshore component in the GOA in the same proportion specified in paragraph (a)(6)(iii) of the section.

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(c) * * *

(4) Inshore-offshore allocations—(i) BSAI pollock (applicable through December 31, 2004). The proposed, interim, and final specifications will specify the allocation of pollock for processing by the inshore component in the BSAI and the offshore component in the BSAI, and any seasonal allowances thereof, as authorized under paragraphs (a)(5) and (a)(6) of this section.

(ii) GOA pollock and Pacific cod (applicable through December 31, 2001). The proposed, interim, and final specifications will specify the allocation of GOA pollock and GOA Pacific cod for processing by the inshore component in the GOA and the offshore component in the GOA, and any seasonal allowances thereof, as authorized under paragraphs (a)(5) and (a)(6) of this section.

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5. In § 679.22, paragraph (a)(5) is revised to read as follows:

§ 679.22 Closures.

(a) * * *

(5) Catcher Vessel Operational Area (CVOA). The CVOA is defined as that part of the BSAI that is south of 56°00' N. lat. and between 163°00' W. long. and 167°30' W. long. (Figure 2 to part 679).

(i) Effective time period. The CVOA is established annually during the B season, defined at § 679.23(e)(2)(I)(B), from September 1 until the date that NMFS closes the B season allocation for the inshore component in the BSAI to directed fishing.

(ii) Offshore component in the BSAI restrictions. A catcher/processor vessel in the offshore component is prohibited from conducting directed fishing for pollock in the CVOA unless it is operating under a CDP approved by NMFS.

(iii) Fisheries other than pollock. A vessel that harvests or processes groundfish in directed fisheries for species other than pollock may operate within the CVOA consistent with the other provisions of this part.

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6. In § 679.23, paragraph (e)(2) is revised to read as follows:

§ 679.23 Seasons.

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(e) * * *

(2) Directed fishing for pollock. (i) Subject to other provisions of this part, and except as provided in paragraphs (e)(2)(ii) and (e)(2)(iii) of this section, directed fishing for pollock is authorized only during the following two seasons:

(A) A season. From 0001 hours A.l.t. January 1 through 1200 hours A.l.t. April 15.

(B) B season. From 1200 hours A.l.t. September 1 through 1200 hours A.l.t. November 1.

(ii) Offshore component in the BSAI restrictions (applicable through December 31, 2004)—(A) Offshore A season. Subject to other provisions of this part, directed fishing by the offshore component in the BSAI, or by vessels catching pollock for processing by the offshore component in the BSAI, is authorized from 1200 hours A.l.t. January 26 through 1200 A.l.t. April 15.

(B) Offshore A season "fair start" requirement. Directed fishing for pollock by the offshore component in the BSAI, or by vessels catching pollock for processing by the offshore component in the BSAI, is prohibited through 1200 hours A.l.t., February 5, for any vessel that is used to fish in a non-CDQ fishery for groundfish in the BSAI or GOA, or for king or Tanner crab in the BSAI prior to 1200 hours, A.l.t., January 26 of the same year.

(iii) B season "fair start" requirement. Directed fishing for pollock is prohibited from 1200 hours, A.l.t., September 1, through 1200 hours, A.l.t., September 8, for any vessel that is used to fish for groundfish with trawl gear in a non-CDQ fishery in the BSAI or GOA between 1200 hours, A.l.t., August 25, and 1200 hours, A.l.t., September 1.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 981222314-8321-02; I.D. 012099B]

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific cod and pollock in the Gulf of Alaska

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

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod and pollock by vessels catching these species for processing by the offshore component in the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the 1999 interim total allowable catch (TAC) of Pacific cod and pollock allocated to vessels catching these species for processing by the offshore component in the GOA.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), January 20, 1999, until 2400 hrs, A.l.t., December 31, 1999.

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 published interim 1999 harvest specifications for the GOA groundfish fisheries (64 FR 46, January 4, 1999). A final rule authorizing the inshore/offshore allocation of GOA Pacific cod and pollock was filed with the Office of the Federal Register, January 20, 1999, and became effective January 20, 1999. The Regional Administrator has determined that the following interim Pacific cod TAC amounts for the GOA offshore component 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:

Pacific cod, offshore component
Western Regulatory Area 436 metric tons
Central Regulatory Area 834 metric tons
Eastern Regulatory Area 23 metric tons

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. NMFS is prohibiting directed fishing for Pacific cod by vessels catching these species for processing by the offshore component in the Gulf of Alaska in accordance with § 679.20(d). These closures will be in effect beginning at 1200 hours, A.l.t., January 20, 1999, until superseded by the Final 1999 Initial Harvest Specifications for Groundfish. Under the final rule implementing the GOA inshore/offshore allocations, 0 metric

tons of pollock are allocated to the offshore directed fishery for this species. Therefore, in accordance with § 679.20(d), NMFS is prohibiting directed fishing for pollock by vessels catching pollock for processing by the offshore component in the Gulf of Alaska. These closures will be in effect beginning at 1200 hours, A.l.t., January 20, 1999, until superseded by the notice of Final 1999 Initial Harvest Specifications for Groundfish.

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

Classification

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately to prevent overharvesting the interim 1999 TAC of Pacific cod and pollock allocated to vessels catching these species for processing by the offshore component in the GOA. A delay in the effective date is impracticable and contrary to the public interest, 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.

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

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

Dated: January 20, 1999.

Gary C. Matlock,

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

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