

that the annual commercial quota of 4.65 m lb (2.34 m kg) for red snapper will be reached on October 6, 1997. Accordingly, the commercial fishery in the EEZ in the Gulf of Mexico for red snapper is closed effective noon, local time, October 6, 1997, through December 31, 1997. The operator of a vessel with a valid reef fish permit having red snapper on board must land and sell such red snapper prior to noon, local time, October 6, 1997.

During the closure, the bag limit applies to all harvest of red snapper in or from the EEZ in the Gulf of Mexico. The daily bag limit for red snapper is five per person. From noon, local time, October 6, 1997, through December 31, 1997, the sale or purchase of red snapper taken from the EEZ is prohibited. This prohibition does not apply to sale or purchase of red snapper that were harvested, landed ashore, and sold prior to noon, local time, October 6, 1997, and were held in cold storage by a dealer or processor.

Classification

This action is taken under 50 CFR 622.43(a) and is exempt from review under E.O. 12866.

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

Dated: September 30, 1997.

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. 961126334-7052-02; I.D. 092997A]

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Central Regulatory Area of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Modification of a closure.

SUMMARY: NMFS is opening directed fishing for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to fully utilize the total allowable catch (TAC) of Pacific cod in this area.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), October 1, 1997, until 2400 hrs, A.l.t., December 31, 1997.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, 907-587-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery 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(a)(6)(iii), the allowance for the Pacific cod TAC apportioned to vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area was established by the Final 1997 Harvest Specifications of Groundfish for the GOA and subsequent reserve apportionment (62 FR 8179, February 24, 1997; 62 FR 19062, April 18, 1997) as 39,321 metric tons (mt).

The Administrator, Alaska Region, NMFS, has established a directed fishing allowance of 38,321 mt, and set aside the remaining 1,000 mt as bycatch to support other anticipated groundfish fisheries. The fishery for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area of the GOA was closed to directed fishing under § 679.20(d)(1)(iii) on March 11, 1997 (62 FR 11770, March 13, 1997), in order to reserve amounts anticipated to be

needed for incidental catch in other fisheries.

NMFS has determined that as of September 20, 1997, 930 mt remain in the directed fishing allowance. Therefore, NMFS is terminating the previous closure and is opening directed fishing for Pacific cod by vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area of the GOA effective 1200 hrs, A.l.t., October 1, 1997.

Classification

All closures remain in full force and effect. This action responds to the best available information recently obtained from the fishery. It must be implemented immediately in order to allow full utilization of the Pacific cod TAC. Further delay would only disrupt the FMP's objective of providing a portion of the Pacific cod TAC for processing by the inshore component in the Central Regulatory Area of the GOA. Without this action, the Pacific cod allocation for vessels catching Pacific cod for processing by the inshore component in the Central Regulatory Area of the GOA would be underharvested. 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. 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: September 30, 1997.

Bruce C. Morehead,

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

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