

Department of Fish and Wildlife (ODFW), and the California Department of Fish and Game regarding this adjustment. The states of Washington, Oregon, and California have been managing the recreational fishery in state waters adjacent to this area of the exclusive economic zone in accordance with this Federal action. As provided by the inseason notice procedures of 50 CFR 660.411, actual notice to fishermen of this action was given prior to July 1, 1997, by telephone hotline numbers (206) 526-6667 and (800) 662-9825, and by U.S. Coast Guard Notice to Mariners broadcasts on Channel 16 VHF-FM and 2182 kHz. Because of the need for immediate action to modify the limited retention regulations before the July 1, 1997, opening of the season between Point Reyes and Pigeon Point, CA, NMFS determined that good cause existed for the action to be taken without affording a prior opportunity for public comment.

Inseason Adjustment From the Queets River to Leadbetter Point, WA

In the annual management measures for ocean salmon fisheries, NMFS announced that the recreational fishery in the subarea between the Queets River and Leadbetter Point, WA, would open July 21 and continue through the earlier of September 25 or attainment of the 14,000 coho subarea quota. Inseason management would be used to sustain season length and keep harvest within a guideline of 3,000 chinook. The recreational bag limit would be two fish per day, and the area from 0 to 3 miles off shore would be closed.

Concern was expressed that this year's relative abundance of coho to chinook might be lower and that the chinook guideline could be achieved first, thus leaving a large portion of the coho quota unharvested. To optimize angler opportunity to fish on the available coho stocks, it was necessary to dampen the harvest of chinook at the beginning of the season by setting an area closure of 0 to 3 miles off shore and changing the bag limit to two fish, only one of which may be a chinook (62 FR 43484, August 14, 1997).

The best available information on August 11 indicated that there were a sufficient number of fish in the overall chinook quota north of Cape Falcon, OR, such that the above measures were no longer needed. Hence, beginning at 0001 hours l.t., August 13, 1997, the daily bag limit for the recreational fishery in the subarea from Queets River to Leadbetter Point, WA, was reestablished back to two fish, and this area closure was rescinded so that the

fishery was open from 0 to 200 miles off shore.

Modification of recreational bag limits and closed areas is authorized by regulations at 50 CFR 660.409(b)(1)(iii) and (v). The Regional Administrator consulted with representatives of the Council and the WDFW regarding this adjustment. The State of Washington managed the recreational fishery in state waters adjacent to this area of the exclusive economic zone in accordance with this Federal action. As provided by the inseason notice procedures of 50 CFR 660.411, actual notice to fishermen of this action was given prior to 0001 hours l.t., August 13, 1997, by telephone hotline numbers (206) 526-6667 and (800) 662-9825, and by U.S. Coast Guard Notice to Mariners broadcasts on Channel 16 VHF-FM and 2182 kHz. Because of the need for immediate action to liberalize the bag limit and area closure for this fishery, NMFS determined that good cause existed for this action to be taken without affording a prior opportunity for public comment.

Closures From the U.S.-Canadian Border to Cape Falcon, OR

Regulations governing the ocean salmon fisheries at 50 CFR 660.409(a)(1) state that when a quota for the commercial or the recreational fishery, or both, for any salmon species in any portion of the fishery management area is projected by the Regional Administrator to be reached on or by a certain date, the Secretary will, by an inseason action issued under 50 CFR 660.411, close the commercial or recreational fishery, or both, for all salmon species in the portion of the fishery management area to which the quota applies as of the date the quota is projected to be reached.

In the 1997 management measures for ocean salmon fisheries, NMFS announced that the recreational fishery in the area from the U.S.-Canadian border to Cape Alava, WA, would open on July 21 and continue through September 25, or attainment of the 550 chinook salmon subarea quota, whichever occurred first. Cape Alava to the Queets River, WA, would open on July 21 and continue through September 25, or attainment of the 800 coho salmon subarea quota, whichever occurred first. Queets River to Leadbetter Point, WA, would open on July 21 and continue through September 25, or attainment of the 14,000 coho salmon subarea quota, whichever occurred first. Leadbetter Point, WA, to Cape Falcon, OR, would open on July 21 and continue through September 25, or attainment of the 17,500 coho salmon subarea quota, whichever occurred first.

Throughout the season the best available information was used to determine when the salmon quotas had been reached based on catch and effort data and projections. To provide for an orderly shutdown of the recreational fishery in these areas, closure was made effective for: U.S.-Canadian border to Cape Alava, WA, at 2400 hours l.t., July 23; Cape Alava to the Queets River, WA, at 2400 hours l.t., August 3; Queets River to Leadbetter Point, WA, at 2400 hours l.t., September 4; and Leadbetter Point, WA, to Cape Falcon, OR, at 2400 hours l.t., August 7. The Regional Administrator consulted with representatives of the Council, the WDFW, and the ODFW. The states of Washington and Oregon managed the recreational fishery in state waters adjacent to this area of the exclusive economic zone in accordance with this Federal action. As provided by the inseason notification procedures of 50 CFR 660.411, actual notice to fishermen of this action was given prior to the actual closure times and dates, by telephone hotline number 206-526-6667 and 800-662-9825 and by U.S. Coast Guard Notice to Mariners broadcasts on Channel 16 VHF-FM and 2182 kHz. Because of the need for immediate action to stop the fishery upon achievement of the quota, NMFS determined that good cause existed for this action to be taken without affording a prior opportunity for public comment.

Classification

This action is authorized by 50 CFR 660.409 and 660.411 and is exempt from review under E.O. 12866.

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

Dated: November 26, 1997.

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. 961126334-7025-02, I.D. 112597C]

Fisheries of the Economic Exclusive Zone Off Alaska; Trawl Gear in 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 groundfish by vessels using trawl gear in the Gulf of Alaska (GOA), except for directed fishing for pollock by vessels using pelagic trawl gear in those portions of the GOA open to directed fishing for pollock. This action is necessary because the 1997 Pacific halibut prohibited species catch (PSC) limit for trawl gear in the GOA has been caught.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), November 26, 1997, until 1200 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 Final 1997 Harvest Specifications of Groundfish for the GOA (62 FR 8179, February 24, 1997) established the 1997 Pacific halibut PSC limit for vessels using trawl gear at 2,000 metric tons (mt). The Administrator, Alaska Region, NMFS (Regional Administrator), has determined, in accordance with § 679.21(d)(7)(i), that vessels engaged in directed fishing for groundfish with trawl gear in the GOA have caught the 1997 Pacific halibut PSC limit. Therefore, NMFS is closing the directed fishery for groundfish by vessels using trawl gear in the GOA, except for directed fishing for pollock by vessels using pelagic trawl gear in those portions of the GOA that remain open to directed fishing for pollock.

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 exceeding the 1997 trawl Pacific halibut PSC limit. Providing prior notice and an opportunity for public comment on this action is impracticable and contrary to public interest. The fleet has taken the 1997 trawl Pacific halibut PSC limit in the GOA. Further delay would only result in the 1997 trawl Pacific halibut PSC limit being exceeded and disrupt

the FMP's objective of limiting trawl Pacific halibut mortality. NMFS finds for good cause that the implementation of this action cannot be delayed for 30 days. Accordingly, under U.S.C 553(d), a delay in the effective date is hereby waived.

This action is required by 50 CFR 679.21 and is exempt from review under E.O. 12866.

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

Dated: November 26, 1997.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 97-31595 Filed 11-26-97; 3:13 pm]

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 679**

[Docket No. 961107312-7021-02; I.D. 112497E]

Fisheries of the Exclusive Economic Zone Off Alaska; Bycatch Rate Standards for the First Half of 1998

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

ACTION: Pacific halibut and red king crab bycatch rate standards; request for comments.

SUMMARY: NMFS announces Pacific halibut and red king crab bycatch rate standards for the first half of 1998. Publication of these bycatch rate standards is necessary under regulations implementing the vessel incentive program. This action is necessary to implement the bycatch rate standards for trawl vessel operators who participate in the Alaska groundfish trawl fisheries. The intent of this action is to reduce prohibited species bycatch rates and promote conservation of groundfish and other fishery resources.

DATES: Effective 1201 hours, Alaska local time (A.l.t.), January 20, 1998, through 2400 hours, A.l.t., June 30, 1998. Comments on this action must be received at the following address no later than 4:30 p.m., A.l.t., January 2, 1998.

ADDRESSES: Comments should be mailed to the Assistant Regional Administrator, Sustainable Fisheries Division, NMFS, P.O. Box 21668, Juneau, AK 99802-1668, Attn: Lori Gravel; or be delivered to 709 West 9th

Street, Federal Building, Room 401, Juneau, AK.

FOR FURTHER INFORMATION CONTACT: Alan Kinsolving, 907-586-7228.

SUPPLEMENTARY INFORMATION: The domestic groundfish fisheries in the exclusive economic zone of the Bering Sea and Aleutian Islands management area (BSAI) and Gulf of Alaska (GOA) are managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area and the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMPs). The FMPs were prepared by the North Pacific Fishery Management Council (Council) under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and are implemented by regulations governing the U.S. groundfish fisheries at 50 CFR part 679.

Regulations at § 679.21(f) implement a vessel incentive program to reduce halibut and red king crab bycatch rates in the groundfish trawl fisheries. Under the incentive program, operators of trawl vessels may not exceed Pacific halibut bycatch rate standards specified for the BSAI and GOA midwater pollock and "other trawl" fisheries, and the BSAI yellowfin sole and "bottom pollock" fisheries. Vessel operators also may not exceed red king crab bycatch standards specified for the BSAI yellowfin sole and "other trawl" fisheries in Bycatch Limitation Zone 1 (defined in § 679.2). The fisheries included under the incentive program are defined in regulations at § 679.21(f)(2).

Regulations at § 679.21(f)(3) require that halibut and red king crab bycatch rate standards for each fishery included under the incentive program be published in the **Federal Register**. The standards are in effect for specified seasons within the 6-month periods of January 1 through June 30, and July 1 through December 31. Because the Alaskan groundfish fisheries are closed to trawling from January 1 to January 20 of each year (§ 679.23(c)), the Administrator, Alaska Region, NMFS (Regional Administrator) is promulgating bycatch rate standards for the first half of 1998 effective from January 20, 1998, through June 30, 1998.

As required by § 679.21(f)(4), bycatch rate standards are based on the following information:

(A) Previous years' average observed bycatch rates;

(B) Immediately preceding season's average observed bycatch rates;