

(h) The provisions of this paragraph do not apply to repeaters that transmit on the 1.2 cm or shorter wavelength bands. Before establishing a repeater within 16 km (10 miles) of the Arecibo Observatory or before changing the transmitting frequency, transmitter power, antenna height or directivity of an existing repeater, the station licensee must give notification thereof at least 20 days in advance of planned operation to the Interference Office, Arecibo Observatory, Post Office Box 995, Arecibo, Puerto Rico 00613, in writing or electronically, of the technical parameters of the proposal. Licensees who choose to transmit information electronically should e-mail to: prcz@naic.edu

(1) * * *

(2) If an objection to the proposed operation is received by the FCC from the Arecibo Observatory, Arecibo, Puerto Rico, within 20 days from the date of notification, the FCC will consider all aspects of the problem and take whatever action is deemed appropriate. The licensee will be required to make reasonable efforts in order to resolve or mitigate any potential interference problem with the Arecibo Observatory.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 630

[I.D. 072398A]

North Atlantic Swordfish Fishery; Closure

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

ACTION: Closure.

SUMMARY: NMFS has projected that the driftnet directed fishery quota of 41.6 metric tons (mt) dressed weight (dw) for the 1998 North Atlantic swordfish

season (opens August 1, 1998) will be reached on or before August 12, 1998. Consequently, NMFS closes the driftnet directed fishery for the North Atlantic swordfish management unit, effective 11:30 p.m. on August 14, 1998. All swordfish must be offloaded by driftnet vessels by the time of the closure.

DATES: The closure is effective at 11:30 p.m. local time on August 14, 1998.

FOR FURTHER INFORMATION CONTACT: Jill Stevenson, (301) 713-2347.

SUPPLEMENTARY INFORMATION: The North Atlantic swordfish fishery is managed under the Fishery Management Plan for Atlantic Swordfish and its implementing regulations at 50 CFR part 630 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) and the Atlantic Tunas Convention Act (ATCA) (16 U.S.C. 971 *et seq.*). Regulations issued under the authority of ATCA carry out the recommendations of International Commission for the Conservation of Atlantic Tunas.

The regulations governing the Atlantic swordfish fisheries at 50 CFR 630.24 provide for a specified annual quota to be landed by the driftnet directed fishery. NMFS is required, under § 630.25(a)(1), to monitor the catch and landings statistics and, on the basis of these statistics, to project a date when the catch will equal the quota, and to publish a **Federal Register** document announcing the closure at least 14 days in advance.

The North Atlantic swordfish driftnet fishery was closed on December 5, 1996, under an emergency rule to protect the endangered northern right whale. That fishery remained closed through November 26, 1997, while NMFS considered fishery management alternatives to reduce bycatch in the fishery and to address other fishery management issues. On December 1, 1997 (62 FR 63467), NMFS implemented a temporary time/area closure under the authority of the Endangered Species Act to avoid the likelihood that this fishery would jeopardize the continued existence of the northern right whale. As a result of these rulemakings, the driftnet fishery

has not operated in the North Atlantic Ocean for swordfish since the summer of 1996.

Closure of the Fishery

The average daily landings of swordfish in the driftnet fishery in the first semiannual season of 1996 were greater than 14,000 lb dw (6.4 mt dw). However, NMFS considered a number of factors that are likely to slow the daily catch rates in the 1998 fishery. Based on previous landings and other factors, it is expected that the driftnet directed harvest quota of 41.6 mt dw for the entire directed fishery (which opens on August 1, 1998) would be reached on or about August 12, 1998. To allow for travel time from the fishing grounds and time for offloading, NMFS announces that the directed fishery for swordfish is closed at 11:30 p.m. on August 14, 1998. All vessels must be in port and offloaded on or before this closing date. This notice provides more than a 14 day period during which swordfish vessel owners can plan their fishing and sale of landings prior to the closure deadline.

During the closure of the directed swordfish driftnet fishery, on board a vessel using or having on board a driftnet, a person may not fish for swordfish from the north Atlantic stock, and no more than 2 swordfish, caught incidentally while fishing for other species, may be possessed in the North Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea, north of 5° N. latitude, or landed in an Atlantic, Gulf of Mexico, or Caribbean state. Driftnets are not permitted for use in the South Atlantic swordfish fishery.

Classification

This action is taken under 50 CFR 630.24 and 50 CFR 630.25 (a) and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 971 *et seq.*

Dated: July 28, 1998.

Bruce Morehead,

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

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