

List of Subjects in 50 CFR Part 630

Fisheries, Fishing, Reporting and recordkeeping requirements, Treaties.

Dated: January 21, 1999.

Rolland A. Schmitt,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 630, is amended as follows:

PART 630—ATLANTIC SWORDFISH FISHERY

1. The authority citation for part 630 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.* and 16 U.S.C. 971 *et seq.*

2. In § 630.3, paragraph (b) is amended by removing the words "or gillnet".

3. In § 630.7, paragraphs (p), (s), and (t) are revised, and paragraphs (bb) and (cc) are redesignated as paragraphs (aa) and (bb) respectively, to read as follows:

§ 630.7 Prohibitions.

* * * * *

(p) Fish for Atlantic swordfish with a driftnet or possess an Atlantic swordfish on board a vessel with a driftnet on board, as specified in § 630.22.

* * * * *

(s) During a closure of the directed fishery under § 630.25(a)(1) or (b), on board a vessel using or having on board the specified gear, fish for swordfish, or possess or land swordfish in excess of the bycatch limits, as specified in § 630.25(c).

(t) On board a vessel using or having on board gear other than longline or harpoon, fish for swordfish, or possessing or landing swordfish in excess of the bycatch limit, as specified in § 630.25(d).

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4. Section 630.22 is revised to read as follows:

§ 630.22 Gear restrictions.

No driftnet may be used to fish for swordfish from the North or South Atlantic swordfish stocks. An Atlantic swordfish may not be possessed on board or harvested by a vessel using or having on board a driftnet.

5. In § 630.24, paragraphs (a)(1), (b)(2), and (e)(1) are revised, paragraph (a)(3) is removed and (f) is removed and reserved to read as follows:

§ 630.24 Quotas.

(a) *Applicability.* (1) A swordfish harvested from the North Atlantic swordfish stock by a vessel of the United States other than one participating in the recreational fishery

is counted against the directed-fishery quota or the bycatch quota. A swordfish harvested by longline or harpoon and landed before the effective date of a closure for that gear, pursuant to § 630.25(a)(1), is counted against the directed-fishery quota. After a closure, a swordfish landed by a vessel using or possessing gear for which bycatch is allowed under § 630.25(c) is counted against the bycatch allocation specified in paragraph (c) of this section.

Notwithstanding these provisions, a swordfish harvested by a vessel using or possessing gear other than longline, harpoon, or rod and reel is counted against the bycatch quota specified in paragraph (c) of this section at all times.

* * * * *

(b) Directed-fishery quotas. * * *

(2) The annual directed fishery quota for the North Atlantic swordfish stock for the period June 1, 1999, through May 31, 2000, is 2,033.2 mt dw. The quota is divided into two equal semiannual quotas of 1016.6 mt dw, one for the period June 1 through November 30, 1999, and the other for the period December 1, 1999, through May 31, 2000.

* * * * *

(e) *Inseason adjustments.* (1) NMFS may adjust the December 1 through May 31 semiannual directed fishery quota to reflect actual catches during the June 1 through November 30 semiannual period, provided that the 12-month directed-fishery quota is not exceeded.

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6. In § 630.25, the section heading and paragraphs (a)(1) and (c), and the introductory text to paragraph (d) are revised to read as follows:

§ 630.25 Closures and incidental catch limits.

(a) *Notification of a closure.* (1) When the directed-fishery annual or semiannual quota specified in § 630.24 is reached, or is projected to be reached, NMFS will publish notification in the **Federal Register** closing the directed-fishery for fish from the North Atlantic swordfish stock or from the South Atlantic swordfish stock, as appropriate. The effective date of such notification will be at least 14 days after the date such notification is filed at the Office of the Federal Register. The closure will remain in effect until additional directed-fishery quota becomes available.

* * * * *

(c) *Bycatch limits during a directed-fishery closure.* (1) During a closure of the directed fishery, aboard a vessel using or having aboard a longline and not having aboard harpoon gear—

(i) A person may not fish for swordfish from the North Atlantic swordfish stock; and

(ii) No more than 15 swordfish per trip may be possessed in the North Atlantic Ocean, including the Gulf of Mexico and Caribbean Sea, north of 5 degrees N. lat., or landed in an Atlantic, Gulf of Mexico, or Caribbean coastal state. The Assistant Administrator may modify or change the bycatch limits upon publication of notice in the **Federal Register** pursuant to the notification requirements and procedures in paragraph (a)(1) of this section. Changes in the bycatch limits will be based upon the length of the directed fishery closure as well as the estimated catch per vessel in the non-directed fishery.

(2) During a closure of the directed fishery, aboard a vessel using or having aboard harpoon gear—

(i) A person may not fish for swordfish from the North Atlantic swordfish stock; and

(ii) No swordfish 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 coastal state.

(d) Bycatch limits in the non-directed fishery. On board a vessel using or having on board gear other than harpoon or longline, other than a vessel in the recreational fishery—

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 648**

[Docket No 981231335-8335-01; I.D. 122498B]

RIN 0648-AM14

Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 26; Correction

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

ACTION: Final rule; correction.

SUMMARY: This document contains a correction to an instruction in the regulatory text for the final rule to implement Framework Adjustment 26, which was published on Friday, January 15, 1999.

DATES: Effective January 19, 1999.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

Need for Correction

Framework Adjustment 26, which was published in the **Federal Register** of January 15, 1999 (64 FR 2601), revised a portion of the regulatory text for the GOM Inshore Closure Areas

(§ 648.81(g)(1)). In FR Doc. 99-1000, amendatory instruction 4. revised paragraph (g)(1) to § 648.81 and is corrected to revise the "introductory text" to paragraph (g)(1) to § 648.81. This correction sets out the amendatory instruction 4. to include the omitted language.

Correction of Publication

On page 2603, in the second column, amendatory instruction 4. is corrected to read as follows:

"4. In § 648.81, paragraphs (d) and (g)(1) introductory text are revised and paragraph (o) is added to read as follows:"

Dated: January 22, 1999.

Rolland A. Schmitten,

*Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

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