

this action by 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable.

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

Dated: March 5, 1999.

Andrew A. Rosenberg,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 981222313-8320-02; I.D. 030399B]

Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Central Aleutian District of the Bering Sea and Aleutian Islands

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 Atka mackerel in the Central Aleutian District of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to fully utilize the 1999 interim harvest specification of Atka mackerel in the Central Aleutian District, including the 1999 critical habitat percentage of the interim harvest specification of Atka mackerel established for this District.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), March 7, 1999, until 1200 hrs, A.l.t., April 15, 1999.

FOR FURTHER INFORMATION CONTACT: Mary Furuness, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (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.

The 1999 interim TAC for Atka mackerel in the Central Aleutian District is 9,520 metric tons (mt), of which no more than 7,616 mt may be harvested from critical habitat (64 FR 3446,

January 22, 1999). See § 679.20(c)(2)(ii)(A) and 679.22(a)(8)(iii)(B). The directed fishery for Atka mackerel in the Central Aleutian District was closed to reserve amounts anticipated to be needed for incidental catch in other fisheries (64 FR 10398, March 4, 1999). The Steller Sea lion critical habitat in the Central Aleutian District was closed to trawl gear to prevent exceeding the percentage of the interim harvest specifications of Atka mackerel allocated to the Central Aleutian District (64 FR 8013, February 18, 1999). Fishing with trawl gear in critical habitat in the Central Aleutian District was opened concurrent with the closure of the Central Aleutian District to directed fishing for Atka mackerel (64 FR 10398, March 4, 1999). NMFS has determined that as of March 2, 1999, approximately 4,000 mt remains in the Central Aleutian Islands directed fishing allowance and 2,192 mt remains in the critical habitat percentage of the interim harvest specifications of Atka mackerel allocated to the Central Aleutian District.

The Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the 1999 directed fishing allowance for Atka mackerel in the Central Aleutian District and the critical habitat percentage of the interim harvest specifications of Atka mackerel established for this District have not been reached. Therefore, NMFS is terminating the previous closure and is reopening directed fishing for Atka mackerel in the Central Aleutian District of the BSAI. All other closures remain in full force and effect. Steller Sea lion critical habitat in the Central Aleutian District of the BSAI is defined at 50 CFR part 226, Table 1, Table 2, and Figure 4.

Classification

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately to fully utilize the 1999 interim harvest specification of Atka mackerel in the Central Aleutian District and the 1999 critical habitat percentage of the interim harvest specifications of Atka mackerel established for this District. Providing prior notice and opportunity for public comment for this action is impracticable and contrary to the public interest. NMFS finds for good cause that the implementation of this action cannot 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: March 5, 1999.

Richard W. Surdi,

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. 981222314-8321-02; I.D. 030599C]

Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the Eastern Regulatory Area of 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 pollock in the Eastern Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the interim 1999 pollock total allowable catch (TAC) for the Eastern Regulatory Area established by the Interim 1999 Harvest Specifications.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), March 6, 1999, until superseded by the Final 1999 Harvest Specification for Groundfish, which will be published in the **Federal Register**.

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.

The Interim 1999 Harvest Specifications (64 FR 46, January 4, 1999) established the interim 1999 pollock TAC in the Eastern Regulatory Area as 1,395 metric tons (mt), in accordance with § 679.20(c)(2)(i).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the interim TAC of pollock in the Eastern Regulatory Area will soon be reached. The Regional