

SUPPLEMENTARY INFORMATION: Under Amendment 9 to the FMP, the Southwest Regional Administrator, NMFS (Regional Administrator), sets the annual harvest guideline for the NWHI crustacean fishery. The guideline is determined by multiplying the estimated exploitable lobster population (spiny and slipper lobster combined) by a constant harvest rate (13 percent) associated with a specific risk of overfishing (10 percent. As described in Amendments 7 and 9 to the FMP, the total NWHI population of exploitable lobsters is estimated from commercial logbook lobster catch and effort data. The harvest guideline represents the total allowable mortality of lobsters in the fishery regardless of lobster size or reproductive condition. The Regional Administrator will close the fishery when the harvest guideline is estimated to be reached.

The harvest guideline for the 1998 NWHI lobster fishery is 286,000 lobsters based on an estimated total exploitable population of about 2,200,000 spiny and slipper lobsters (species combined).

Under Amendment 9 to the FMP, the Regional Administrator is required to announce a harvest guideline for the entire NWHI. However, the Regional Administrator has reason to believe that if the 1998 lobster harvest is not limited for certain banks/areas, the lobster populations there may be at risk of overexploitation. The Council and fishing industry also concur with this assessment. At its 95th meeting, the Council initiated action to consider the establishment of a bank/area specific management regime under the framework procedures of the FMP. At its 96th meeting, which was held on May 8, 1998, the Council met and voted to recommend bank-specific harvest guidelines for the 1998 fishing year. The public was given the opportunity to comment prior to and at this meeting, on the issue of bank-specific harvest guidelines. NMFS is working with the Council to develop separate proposed and final rules for bank-specific harvest guidelines.

The Pacific Islands Area Office will monitor landings and issue timely reports of the level of cumulative catch information and of the amount of the

harvest guideline remaining. Fishermen are advised to contact the Pacific Islands Area Office (see ADDRESSES) periodically to stay abreast of any changes and of progress of the fishery toward attaining the harvest guideline. Under the procedures in 50 CFR 660.50(b)(3), NMFS will announce the date upon which the harvest guideline will be reached and when the fishery will be closed.

Classification

This action is authorized by 50 CFR part 660 and is exempt from review under Executive Order 12866.

Because prior notice and opportunity for public comment are not required for 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.

The Assistant Administrator for Fisheries (AA), NOAA, finds that because this notice merely announces a harvest guideline resulting from the nondiscretionary application of the objective harvest guideline formula in Amendment 9 to the FMP, no useful purpose would be served by providing prior notice and opportunity for public comment. Accordingly, the AA finds good cause under 5 U.S.C. 553(b)(B) to waive as unnecessary the requirement to provide prior notice and opportunity for public comment.

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

Dated: May 28, 1998.

Rolland A. Schmitten,

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. 971208298-8055-02; I.D. 112097B]

Fisheries of the Exclusive Economic Zone Off Alaska; Correction

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

Atmospheric Administration (NOAA), Commerce.

ACTION: Correction to final 1998 specifications for groundfish.

SUMMARY: This document contains corrections to the Final 1998 Harvest Specifications for Groundfish of the Bering Sea and Aleutian Islands which were published on March 16, 1998, and contain an incorrect fishing season date for Pacific cod nontrawl fisheries and an incorrect apportionment of halibut mortality to the nontrawl fisheries.

DATES: This action becomes effective June 3, 1998.

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

SUPPLEMENTARY INFORMATION:

Background

The final 1998 specifications for groundfish of the Bering Sea and Aleutian Islands published on March 16, 1998, announced harvest limits and associated management measures for groundfish during the 1998 fishing year (63 FR 12689). The specifications contained an incorrect fishing season date for Pacific cod nontrawl fisheries, and an incorrect apportionment of halibut mortality to the nontrawl fisheries. The Council intended the allocation of halibut mortality to the Nontrawl Fisheries for Pacific cod to be 750 mt, not 777 mt; the dates for the Pacific cod third seasonal allocation to be September 15 through December 31, not September 14 to December 31; the allocation to that Pacific cod third season (September 15 through December 31) to be 255 mt, not 282 mt; and the allocation to the "Other non-trawl" category to be 83 mt, not 56 mt.

Correction of Publication

The publication on March 16, 1998, of the final regulations (I.D. 112097B), which was the subject of FR Doc. 98-6620 is corrected as follows:

1. On page 12695, Table 6 (Continued), revise the text under the heading "Nontrawl Fisheries" to read as follows:

TABLE 6.—1998 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI TRAWL AND NONTRAWL FISHERIES—CONTINUED

Nontrawl Fisheries						
Pacific cod	750	.....	.....	.....	.....	.....
Jan. 1–Apr. 30	458	.....	.....	.....	.....	.....
May 1–Sep. 14	37	.....	.....	.....	.....	.....
Sep. 15–Dec. 31	255	.....	.....	.....	.....	.....
Other non-trawl	83	.....	.....	.....	.....	.....

TABLE 6.—1998 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI TRAWL AND NONTRAWL FISHERIES—
CONTINUED—Continued

Groundfish pot & jig	(1)	.....	.....	.....	.....	.....
Sablefish hook & line	(1)	.....	.....	.....	.....	.....
Total Nontrawl	833	.....	.....	.....	.....	.....
PSQ Reserve ¹	351	129	7,500	349,050	56,250	157,500

¹ Exempt.

Dated: May 28, 1998.

Rolland A. Schmitt,

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

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