

(e) A statement about possible use of the deviation in other agencies or Governmentwide; and

(f) The duration of the deviation.

**§ 102-2.100 Must agencies provide GSA with a follow-up analysis of their experience in deviating from the FMR?**

Yes, agencies that deviate from the FMR must also write to the relevant GSA program office at the Regulatory Secretariat's address (see § 102-2.90) to describe their experiences in using a deviation.

**§ 102-2.105 What information must agencies include in their follow-up analysis?**

In your follow-up analysis, provide information that may include, but should not be limited to, specific actions taken or not taken as a result of the deviation, outcomes, impacts, anticipated versus actual results, and the advantages and disadvantages of taking an alternative course of action.

**§ 102-2.110 When must agencies provide their follow-up letters?**

(a) For an individual deviation, once the action is complete.

(b) For a class deviation, at the end of each twelve-month period from the time you first took the deviation and at the end of the deviation period.

**Non-Regulatory Material**

**§ 102-2.115 What kinds of non-regulatory material does GSA publish outside of the FMR?**

As GSA converts the FPMR to the FMR, non-regulatory materials in the FPMR, such as guidance, procedures, standards, and information, that describe how to do business with GSA, will become available in separate documents. These documents may include customer service guides, handbooks, brochures, Internet websites, and FMR bulletins. GSA will eliminate non-regulatory material that is no longer needed.

**§ 102-2.120 How do I know whom to contact to discuss the regulatory requirements of programs addressed in the FMR?**

Periodically, GSA will issue for your reference an FMR bulletin that lists program contacts with whom agencies can discuss regulatory requirements. At a minimum, the list will contain organization names and telephone numbers for each program addressed in the FMR.

**§ 102-2.125 What source of information can my agency use to identify materials that describe how to do business with GSA?**

The FMR establishes policy; it does not specify procedures for the

acquisition of GSA services. However, as a service to users during the transition from the FPMR to the FMR and as needed thereafter, GSA will issue FMR bulletins to identify where to find information on how to do business with GSA. References include customer service guides, handbooks, brochures, Internet websites, etc.

**Subpart B—Forms**

**§ 102-2.130 Where are FMR forms prescribed?**

In any of its parts, the FMR may prescribe forms and the requirements for using them.

**§ 102-2.135 How do agencies obtain forms prescribed by the FMR?**

For copies of the forms prescribed by in the FMR, do any of the following:

(a) Write to us at: General Services Administration, National Forms and Publications Center (7CPN), Warehouse 4, Dock No. 1, 501 West Felix Street, Fort Worth, TX 76115.

(b) Send e-mail messages to: NFPC@gsa-7FDepot.

(c) Visit our web site at: [www.gsa.gov/forms/forms.htm](http://www.gsa.gov/forms/forms.htm).

**Subpart C—Plain Language Regulatory Style**

**§ 102-2.140 What elements of plain language appear in the FMR?**

The FMR is written in a "plain language" regulatory style. This style is easy to read and uses a question and answer format directed at the reader, active voice, shorter sentences, and, where appropriate, personal pronouns.

**§ 102-2.145 To what do pronouns refer when used in the FMR?**

Throughout its text, the FMR may contain pronouns such as, but not limited to, we, you, and I. When pronouns are used, each subchapter of the FMR will indicate whether they refer to the reader, an agency, GSA, or some other entity. In general, pronouns refer to who or what must perform a required action.

[FR Doc. 99-18556 Filed 7-20-99; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 990115017-9193-02; I.D. 011199A]

RIN 0648-AM08

**Fisheries of the Exclusive Economic Zone Off Alaska; Steller Sea Lion Protection Measures for the Pollock Fisheries off Alaska; Extension of an Expiration Date**

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

**ACTION:** Extension and revision of emergency interim rule; revision to 1999 final harvest specifications; request for comments.

**SUMMARY:** On January 22, 1999, NMFS published an emergency rule, effective through July 19, 1999, that implemented reasonable and prudent alternatives (RPAs) identified by NMFS to avoid the likelihood that the pollock fisheries off Alaska will jeopardize the continued existence of the western population of Steller sea lions, or adversely modify its critical habitat. This action revises and extends the emergency rule through December 31, 1999. This action also revises the 1999 final harvest specifications for the pollock fisheries off Alaska. This emergency rule extension is necessary to prevent the pollock fisheries from jeopardizing the western population of Steller sea lions or adversely modifying its critical habitat until permanent protection measures can be implemented.

**DATES:** The expiration date of the emergency interim rule published January 22, 1999 (64 FR 3437) is extended from July 19, 1999, to December 31, 1999. The amendments in this action are effective from January 20, 1999, to December 31, 1999. Comments must be received by August 16, 1999.

**ADDRESSES:** Comments may be sent to Sue Salvesson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori Gravel, or delivered to the Federal Building, 709 West 9th Street, Juneau, AK. Copies of the Biological Opinion (BO) on the Bering Sea and Aleutian Islands Management Area (BSAI) and Gulf of Alaska (GOA) pollock fisheries, the Atka mackerel fishery of the Aleutian Islands Subarea (AIS), and the revised Environmental Assessment

prepared for the emergency rule extension may be obtained from the same address. The BO is also available on the Alaska Region home page at <http://www.fakr.noaa.gov>.

**FOR FURTHER INFORMATION CONTACT:** Shane Capron, 907-586-7228 or [shane.capron@noaa.gov](mailto:shane.capron@noaa.gov).

**SUPPLEMENTARY INFORMATION:** NMFS issued a BO dated December 3, 1998, and revised RPAs dated December 16, 1998, on the pollock fisheries of the BSAI and GOA, and the Atka mackerel fishery of the AIS. The BO concluded that the BSAI and GOA pollock trawl fisheries, as projected for 1999 through 2002, were likely to jeopardize the continued existence of the western population of Steller sea lions and adversely modify its critical habitat. The BO also determined that the Atka mackerel fishery, as modified by recent regulatory changes, was not likely to jeopardize the continued existence of Steller sea lions or adversely modify their critical habitat.

To avoid the likelihood of jeopardizing the continued existence of the western population of Steller sea lions or adversely modifying its critical habitat, the BO established principles for RPAs to the existing pollock trawl fisheries in the BSAI and GOA, that adhere to three basic principles: (1) Temporal dispersion of fishing effort, (2) spatial dispersion of fishing effort, and (3) pollock trawl exclusion zones around Steller sea lion rookeries and haulouts.

NMFS published an emergency interim rule implementing RPAs in the **Federal Register** on January 22, 1999 (64 FR 3437), corrected on February 17, 1999 (64 FR 7814), and February 25, 1999 (64 FR 9375), and effective through

July 19, 1999. The preamble to the original emergency interim rule provides a detailed description of the purpose and need for the action. This action extends the original emergency rule through December 31, 1999. This action also makes two changes to the original emergency rule that (1) correct the mothership B and C season dates, and (2) add spatial dispersion measures to limit critical habitat/catcher vessel operation area (CH/CVOA) catch. These revisions and associated changes to the 1999 BSAI final harvest specifications are described here.

**Revisions to the Original Emergency Rule**

*Correction to Mothership Sector Seasonal Dates*

The original emergency rule (64 FR 3437, January 22, 1999), contained incorrect B and C season harvest dates for the mothership sector. The North Pacific Fishery Management Council's (Council) December 1998 emergency rule recommendation contained a combined B/C season from September 1 through November 1 for the mothership sector. However, the original emergency rule inadvertently applied inshore sector B and C season dates to the mothership sector. This error is corrected in this emergency rule extension. The mothership sector now has a combined B/C season from September 1 through November 1, rather than separate B and C seasons as printed in the original emergency rule. B and C season CH/CVOA Catch Limits and Technical Amendment to the 1999 BSAI Final Harvest Specifications

The original emergency rule did not contain spatial dispersion measures for

the BSAI pollock B and C seasons as required by the BO. These provisions were reserved in the original emergency rule pending further consideration by the Council which occurred at its June 1999 meeting. This emergency rule extension revises the original rule to include overall CH/CVOA catch limits of 25 percent in the B season and 35 percent in the C season. These catch percentages are achieved using an allocation formula recommended by the Council that would exclude the catcher/processor and mothership sectors from the CH/CVOA during the B and C seasons, and would proportionally reduce the CH/CVOA catch percentages for the inshore and Community Development Quota (CDQ) sectors to achieve the overall B and C season catch objectives. Under the revised emergency rule, the inshore sector will have a CH/CVOA limit of 45 percent during the B season and 63 percent during the C season. The CDQ sector will have a CH/CVOA limit of 56 percent for its combined B/C season.

The specification of CH/CVOA catch limits in the B and C seasons in the extension of this emergency rule require revision of the 1999 final harvest specifications of pollock TAC for the Bering Sea Subarea. Table 3 of the 1999 BSAI final harvest specifications (64 FR 12103, March 11, 1999) listed CH/CVOA catch limits for the A1 and A2 seasons. However, CH/CVOA catch limits were not specified for the B and C seasons. To accommodate these new CH/CVOA limits for Bering Sea Subarea pollock under the revised emergency rule, the 1999 BSAI final harvest specifications are amended by adding the following table 3A.

TABLE 3A.—FINAL 1999 TAC AMOUNTS FOR B AND C SEASON POLLOCK IN THE BERING SEA SUBAREA

Sector	B Season		C Season	
	Total	CH/CVOA limit	Total	CH/CVOA limit
Bering Sea Subarea:				
Inshore .....	125,885	56,648	125,885	79,307
Offshore C/Ps .....	100,708	0	100,708	0
Catch by C/Ps .....	92,148	0	92,148	0
Catch by C/Vs .....	8,560	0	8,560	0
Sec. 208(e)(21) vessels .....	504	0	504	0
Mothership <sup>1</sup> .....	50,354	0	n/a	n/a
Incidental Catch .....	n/a	n/a	n/a	n/a
CDQ <sup>1</sup> .....	54,560	30,554	n/a	n/a

<sup>1</sup> The mothership and CDQ sectors have a combined B/C season and CH/CVOA catch limit.

NMFS intends to initiate rulemaking later in 1999 to propose and implement permanent Steller sea lion conservation measures for 2000. This extension of the emergency interim rule is necessary to

protect the western population of Steller sea lions and its critical habitat while allowing the continued prosecution of the 1999 pollock fishery.

Details concerning the basis for this action are contained in the preamble to the original emergency rule and are not repeated here.

**Classification**

The Assistant Administrator for Fisheries, NOAA (AA), has determined that an extension of this emergency interim rule is necessary to respond to an emergency situation and that it is consistent with the Magnuson-Stevens Act and other applicable laws.

The extension of this emergency interim rule is exempt from review under E.O. 12866.

Failure to have the measures contained in this rule in place by July 19, 1999, would result in a lapse of necessary Steller sea lion protective measures in the Alaska pollock fisheries. The measures must be in place because of the likelihood that without the measures, the pollock fisheries would jeopardize the Western population of Steller sea lions and adversely modify its critical habitat. Without these measures, the December 3, 1998 BO would require that to protect Steller sea lions, no pollock fishing occur.

Delay of the pollock season openings to provide for prior notice and public comment would impose significant economic cost on the fishing industry for two reasons. First, by regulation, the ending date for pollock fishing is November 1 of each year to prevent pollock fishing during a winter time period that is critical to Steller sea lions.

If the August 1 pollock openings are delayed for a significant period of time, the fleet may have insufficient time to harvest the remaining TAC prior to November 1 and a significant portion of the TAC could go unharvested. Second, any delay in the season opening will impose significant operational costs on vessels, processors, employees, and other support industries that must plan for and deploy equipment and crews to remote parts of Alaska well in advance of the season opening date.

Accordingly, the AA finds that the need not to delay the pollock season openings constitutes good cause to waive the requirement to provide prior notice and an opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B), as such procedures would be impracticable and contrary to the public interest. For the same reasons, the AA finds good cause pursuant to the authority set forth at in 5 U.S.C. 553(d)(3) to waive the requirement for a 30-day delay in effective date.

Because prior notice and opportunity for public comment are not required for this rule 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 President has directed Federal agencies to use plain language in their communications with the public,

including regulations. To comply with that directive, we seek public comment on any ambiguity or unnecessary complexity arising from the language used in this emergency interim rule.

**List of Subjects in 50 CFR Part 679**

Alaska, Fisheries, Recordkeeping and reporting requirements.

Dated: July 16, 1999.

**Andrew A. Rosenberg,**

*Deputy Asst. Administrator for Fisheries, National Marine Fisheries Service.*

For reasons set out in the preamble, 50 CFR part 679 is amended as follows:

**50 CFR CHAPTER VI**

**PART 679—FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA**

1. The authority citation for part 679 continues to read as follows:

**Authority:** 16 U.S.C. 773 *et seq.*, 1801 *et seq.*, and 3631 *et seq.*

2. In § 679.22(a)(11)(iv)(C)(I), the table is revised to read as follows:

**§ 679.22 Closures.**

- (a) \* \* \*
- (11) \* \* \*
- (iv) \* \* \*
- (C) \* \* \*
- (I) \* \* \*

Fishing Season	Industry Sector (in percent)			
	Inshore	Catcher/processor	Mothership	CDQ
A1 Season .....	70	40	50	100
A2 Season .....	70	40	50	100
B Season .....	45	0	0	56
C Season .....	63	0	0	56

3. Section 679.23(e)(5)(ii)(B) is revised and § 679.23(e)(5)(ii)(C) is removed to read as follows:

**§ 679.23 Seasons.**

- \* \* \* \* \*
- (e) \* \* \*
- (5) \* \* \*
- (ii) \* \* \*

(B) *Combined B/C season.* From 1200 hours, A.I.t., September 1, through 1200 hours, A.I.t., November 1.

\* \* \* \* \*

[FR Doc. 99-18612 Filed 7-16-99; 4:32pm]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 990304062-9062-01; I.D. 071699C]

**Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western 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 Pacific ocean perch in the

Western Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the 1999 total allowable catch (TAC) of Pacific ocean perch in this area.

**DATES:** Effective 1200 hrs, Alaska local time (A.I.t.), July 20, 1999, through 2400 hrs, A.I.t., December 31, 1999.

**FOR FURTHER INFORMATION CONTACT:** Thomas Pearson, 907-481-1780 or tom.pearson@noaa.gov.

**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