

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[I.D. 090998B]

RIN 0648-AL20

Fisheries of the Exclusive Economic Zone Off Alaska; Vessel Moratorium Program

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

ACTION: ACTION: Notice of availability of amendments to fishery management plans; request for comments.

SUMMARY: The North Pacific Fishery Management Council (Council) has submitted Amendment 59 to the Fishery Management Plan (FMP) for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (BSAI) and Amendment 57 to the FMP for Groundfish of the Gulf of Alaska (GOA), and Amendment 9 to the FMP for the Commercial King and Tanner Crab Fisheries in the Bering Sea and Aleutian Islands Area. These amendments, submitted by the Council, would extend the Vessel Moratorium Program for a vessel with a Moratorium Qualification for which a Vessel Moratorium Permit was issued on or before December 31, 1998, or for which a Vessel Moratorium Permit was applied for on or before December 31, 1998. The Vessel Moratorium Program is managed under the FMP for the Groundfish Fishery of the BSAI, the FMP for Groundfish of the GOA, and the FMP for the Commercial King and Tanner Crab Fisheries in the Bering Sea and Aleutian Islands Area. The Vessel Moratorium Program extension, from January 1, 1999, to December 31, 1999, is intended to prevent a hiatus between the ending of the Vessel Moratorium Program and the beginning of the License Limitation Program. Comments are requested from the public.

DATES: Comments on the FMP amendments must be received by November 17, 1998.

ADDRESSES: Comments on the proposed FMP amendments must be submitted to Sue Salvesson, Assistant Regional Administrator for Sustainable Fisheries, Sustainable Fisheries Division, Alaska Region, NMFS, 709 West 9th Street, Room 453, Juneau, AK 99801, or P.O. Box 21668, Juneau, AK 99802. Attention: Lori J. Gravel. Copies of the proposed amendments and the Environmental Assessment/Regulatory Impact Review (EA/RIR) prepared for the amendments may be obtained from the North Pacific Fishery Management Council, 605 West 4th Avenue, Room 306, Anchorage, AK 99510.

FOR FURTHER INFORMATION CONTACT: John Lepore, 907-586-7228.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires that each Regional Fishery Management Council submit any fishery management plan or plan amendment it prepares for review and approval, disapproval, or partial disapproval. The Magnuson-Stevens Act also requires that NMFS, upon reviewing the plan or amendment, must immediately publish a notice that the plan or amendment is available for public review and comment.

NMFS implemented the Vessel Moratorium Program (60 FR 40763, August 10, 1995) in 1996 to impose a temporary moratorium on the entry of new vessels into the commercial groundfish fisheries in the exclusive economic zone of the GOA and the BSAI and the commercial king crab and Tanner crab fisheries in the Bering Sea and Aleutian Islands. The Vessel Moratorium Program was designed to curtail increases in fishing capacity and provide industry stability while the Council developed a comprehensive solution to problems affecting these fisheries.

In June 1995, the Council took final action on recommending the License Limitation Program (LLP) as the next step towards the comprehensive resolution to problems of excess harvesting capacity and conflicts

between industry sectors and gear in the affected fisheries. NMFS approved the LLP on September 12, 1997, and anticipated that the LLP could be implemented by January 1, 1999. However, the design and implementation of the LLP required more time than was originally anticipated. Fishing under the LLP is now scheduled to begin January 1, 2000; however, the Vessel Moratorium currently is scheduled to expire December 31, 1998. Unless an extension is provided, a 1-year hiatus between the Vessel Moratorium Program and the LLP will occur.

Amendments 9, 57, and 59 will extend the Vessel Moratorium Program for 1 year. Under these amendments, (1) a Moratorium qualified vessel for which an application for a Vessel Moratorium Permit has not been made on or before December 31, 1998, or (2) a Moratorium qualified vessel for which a Vessel Moratorium Permit has not been issued on or before December 31, 1998, based on that qualification, will no longer be eligible for a Moratorium Permit based on that qualification. This action is intended to eliminate the potential for latent capacity to enter the affected fisheries.

NMFS will consider the public comments received during the comment period in determining whether to approve the proposed amendments. The proposed regulations are scheduled to be published within 15 days of this document. Public comments on the proposed rule must be received by the end of the comment period on the amendments to be considered in the approval/disapproval decision on the amendments; comments received after that date will not be considered in the approval/disapproval decision on the amendments. To be considered, comments must be received by close of business of the last day of the comment period.

Dated: September 11, 1998.

Gary C. Matlock

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

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