

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: January 27, 2000.

**Gary C. Matlock,**

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

[FR Doc. 00-2166 Filed 1-27-00; 5:01 pm]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

[Docket No. 9912223348-9348-01; I.D. 012700C]

**Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the Gulf of Alaska**

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

**ACTION:** Inseason adjustment; request for comments.

**SUMMARY:** NMFS is adjusting the interim 2000 total allowable catch (TAC) of pollock in the Western and Central Regulatory Areas of the Gulf of Alaska (W/C GOA). This action is necessary to adjust the harvest of pollock, that, based on the best available scientific information, has been found by NMFS to be incorrectly specified.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), January 27, 2000, until 1200 hrs A.l.t. July 19, 2000. Comments must be received at the following address no later than 4:30 p.m., A.l.t., February 17, 2000.

**ADDRESSES:** Comments may be mailed to Sue Salvesson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668, Attn: Lori Gravel. Comments will not be accepted if submitted via e-mail or Internet. Hand delivery or courier delivery of comments may be sent to the Federal Building, 709 West 9th Street, Room 453, Juneau, AK 99801.

**FOR FURTHER INFORMATION CONTACT:** Andrew Smoker, 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 2000 pollock TAC in the W/C GOA as amended by the emergency interim rule implementing Steller sea lion protection measures for the pollock fisheries off Alaska (65 FR 3892, January 25, 2000) are as follows: Western Regulatory Area (610) 5,465 metric tons (mt), Central Regulatory Area (620 outside Shelikof Strait) 3,252 mt, Central Regulatory Area (630 outside Shelikof Strait) 4,278 mt, and Shelikof Strait 14,366 mt.

In accordance with § 679.25(a)(2)(i)(B), the Administrator, Alaska Region, NMFS (Regional Administrator), is adjusting the interim TAC for pollock in the W/C GOA based on the best available scientific information and a determination that the current interim TACs are incorrectly specified.

On January 20, 2000, NFMS stock assessment scientists developed a revised procedure for more accurately allocating the pollock interim TAC by time and area in the Western and Central Regulatory areas as authorized under the emergency interim rule implementing Steller sea lion protection measure. To allocate TAC in Shelikof Strait the revised procedure uses the most recent winter Shelikof Strait acoustic survey (1998) and updated 1998 estimates of GOA pollock biomass west of 140° W. long. For the three areas outside of Shelikof Strait (Statistical area 610, Statistical area 620 outside Shelikof Strait, and Statistical area 630 outside Shelikof Strait) the distribution of pollock biomass is averaged from the last four summer surveys. The method of using the average distribution from the last four summer trawl surveys for purposes of spatial allocation was advocated by the Gulf of Alaska Groundfish Plan Team, reflected in the annual Stock Assessment and Fishery Evaluation (SAFE) report dated November 1999, and accepted by the North Pacific Fishery Management Council's Scientific and Statistical Committee. However, the revised procedure distinguishes the management areas inside and outside Shelikof Strait more accurately than the previous method used to determine the allocation of TAC among areas of the W/C GOA under the interim harvest specification published with the emergency rule implementing Steller sea lion protection measures (65 FR 3892, January 25, 2000).

Based upon this information the Regional Administrator has determined

that the current interim pollock TACs specified for the W/C GOA are incorrect. He is correcting the estimate of total GOA pollock biomass west of 140° W. long, from 933,000 mt to 958,000 mt as reflected in the most recent SAFE report, dated November 1999. After the interim harvest amount for the Shelikof Strait is calculated using the procedure set forth in the emergency rule implementing the Steller sea lion protection measures, the remainder of the combined W/C GOA pollock TAC is apportioned to those areas outside the Shelikof Strait as described above. This results in percentage apportionments of the remainder of the combined W/C GOA pollock TAC equal to 56.09 percent, 4.08 percent, and 39.83 percent to Statistical areas 610, 620 (outside Shelikof Strait), and 630 (outside Shelikof Strait), respectively. Table 5 in the emergency rule implementing Steller Sea lion protection measures specified interim pollock TACs for the W/C GOA and is accordingly corrected to read:

TABLE 5.—REVISED FIRST SEASONAL ALLOWANCES OF POLLOCK IN THE WESTERN (W) AND CENTRAL (C) REGULATORY AREAS OF THE GULF OF ALASKA (GOA)

Area	A season interim TAC (mt)
Species: Pollock <sup>1</sup>	
W (610) .....	7,498
C (620 outside Shelikof Strait) .....	546
C (630 outside Shelikof Strait) .....	5,325
Shelikof Strait .....	13,991
Total .....	27,360

<sup>1</sup> The pollock catch limit for the Shelikof Strait conservation zone is determined by calculating the ratio of the most recent estimate of pollock biomass in Shelikof Strait (489,900 mt) divided by the most recent estimate of total pollock biomass in the GOA (958,000 mt). This ratio is then multiplied by the pollock TAC in the A season for the combined Western and Central areas of the GOA (27,360 mt). The remainder of the combined W/C TAC in the A Season is apportioned among Regulatory Areas 610, 620, and 630 outside the Shelikof Strait based on the distribution of pollock outside the Shelikof Strait; 56.09%, 4.08%, and 39.83% respectively.

**Classification**

The Assistant Administrator for Fisheries, NOAA, finds for good cause that providing prior notice and public comment or delaying the effective date of this action is impracticable and contrary to the public interest. Without this inseason adjustment, the current interim seasonal allocation of pollock

TAC would promote an improper distribution of the fishery. Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until February 17, 2000.

This action is required by §§ 679.20 and 679.25 and is exempt from review under E.O. 12866.

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

Dated: January 27, 2000.

**Bruce C. Morehead,**

*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. 991228352-0012-02; I.D. 012700A]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610

**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 pollock by catcher vessels that are non-exempt under the American Fisheries Act (AFA) in Statistical Area 610 and the Shelikof Strait Conservation Area of the Gulf of Alaska (GOA). This action is necessary to allow non-exempt catcher vessels to participate in the pollock fishery in these areas consistent with regulations implementing the AFA.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), January 27, 2000.

**FOR FURTHER INFORMATION CONTACT:** Andrew Smoker, 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 amount of the interim 2000 GOA AFA catcher vessel sideboard in Statistical Area 610 and the Shelikof

Strait Conservation Area was established by the Emergency Interim Rule to Implement Major Provisions of the American Fisheries Act (published January 28, 2000), as 3,409 metric tons (mt) and 2,402 mt respectively in accordance with § 679.20(c)(2)(i).

The Administrator, Alaska Region, NMFS (Regional Administrator), has established a directed fishing allowance of 3,209 mt, and set aside the remaining 200 mt as bycatch to support other anticipated groundfish fisheries for this component of the fishery in Statistical Area 610. He also has established a directed fishing allowance of 2,202 mt, and set aside the remaining 200 mt as bycatch to support other anticipated groundfish fisheries for this component of the fishery in Shelikof Strait Conservation Area. These areas of the GOA were closed to directed fishing for pollock by non-exempt AFA vessels effective on January 21, 2000.

NMFS has determined that as of January 24, 2000, 3,209 mt remain in the directed fishing allowance for Statistical Area 610 and 2,000 mt remain in the directed fishing allowance for the Shelikof Strait Conservation Area. Therefore, NMFS is terminating the previous closure and is opening directed fishing for pollock by catcher vessels that are non-exempt under the AFA in Statistical Area 610 and the Shelikof Strait Conservation Area of the GOA.

#### Classification

All other closures remain in full force and effect. This action responds to the best available information recently obtained from the fishery. It must be implemented immediately in order to allow participation of catcher vessels that are non-exempt under the AFA. 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: January 27, 2000.

**Gary C. Matlock,**

*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. 991223349-9349-01; I.D. 012700B]

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

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

**ACTION:** Closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Atka mackerel with gears other than jig in the Eastern Aleutian District and the Bering Sea subarea of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the 2000 interim total allowable catch (ITAC) of Atka mackerel in these areas.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), January 27, 2000, until superseded by the Final 2000 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 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 CFR part 679.

The Interim 2000 Harvest Specifications for Groundfish (65 FR 60, January 3, 2000) established the Atka mackerel ITAC for non-jig gear as 14,306 metric tons (mt) in the Eastern Aleutian District and the Bering Sea subarea. See §§ 679.20(c)(2)(ii) and 679.20(a)(8)(ii).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the ITAC for non-jig gear Atka mackerel in the Eastern Aleutian District and the Bering Sea subarea will be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 13,806 mt, and is setting aside the remaining 500