

transfers between categories, the AA has determined that 13 mt of the Inseason Reserve of 33 mt should be transferred to the General category. In addition, the AA has determined that 3 mt of the remaining Incidental Longline North quota of approximately 9 mt, and 54 mt of the remaining Incidental Longline South quota of approximately 59 mt should be transferred to the General category. Thus, the October-December General category quota is set at 141 mt, including 10 mt reserved for the New York Bight fishery.

Once the General category quota for October - December time period has been attained, the fishery will be closed. The announcement of the closure will be filed with the Office of the Federal Register, stating the effective date of closure, and further communicated through the Highly Migratory Species (HMS) Fax Network, the HMS Information Line, NOAA weather radio, and Coast Guard Notice to Mariners. Although notification of closure will be provided as far in advance as possible, fishermen are encouraged to call the HMS Information Line to check the status of the fishery before leaving for a fishing trip. The phone numbers for the HMS Information Line are (301) 713-1279 and (508) 281-9305. Information regarding the Atlantic tuna fisheries is also available through Nextlink Interactive, Inc., at (888) USA-TUNA.

#### General Category Reopening

Implementing regulations for the Atlantic tuna fisheries at § 285.24 provide the AA with authority to adjust the catch limit for the General category to effect restricted fishing days. Such effort controls allow maximum utilization of the quota while maintaining a fair distribution of fishing opportunities. In the final rule that dealt with General category effort controls filed earlier this year (62 FR 38939, July 21, 1997), NMFS established restricted-fishing days reflecting days mutually agreed upon by associations representing General category fishermen and dealers. These days included Wednesdays from Mid-July through September to correspond to market closure days in Japan, the primary

market for ABT. In order to ensure maximum utilization of the quota while maintaining a fair distribution of fishing opportunities, the daily catch limit of large medium and giant ABT for the General category is reduced to zero for one day only, Wednesday October 1, effectively delaying the start of the General category October fishery, at one fish per day, until October 2, 1997.

#### Classification

This action is taken under 50 CFR 285.22 and 50 CFR 285.24 and is exempt from review under E.O. 12866.

**Authority:** 16 U.S.C. 971 et seq.

Dated: September 26, 1997.

**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. 961107312-7021-02; I.D. 092697A]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands

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

**ACTION:** Reallocation.

**SUMMARY:** NMFS is reallocating the projected unused amount of Pacific cod from trawl catcher/processors to trawl catcher vessels in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to allow the 1997 total allowable catch (TAC) of Pacific cod to be harvested.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), September 29, 1997, until 2400 hrs, A.l.t., December 31, 1997.

**FOR FURTHER INFORMATION CONTACT:** Andrew N. Smoker, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the BSAI exclusive economic zone is managed by NMFS 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. Fishing by U.S. vessels is governed by regulations implementing the FMP at subpart H of 50 CFR part 600 and 50 CFR part 679.

The Administrator, Alaska Region, NMFS, has determined that trawl catcher/processors will not be able to harvest 2,000 metric tons (mt) of Pacific cod allocated to those vessels under § 679.20(a)(7)(i)(B).

Therefore, in accordance with § 679.20(a)(7)(ii)(A), NMFS is apportioning the projected unused amount, 2,000 mt, of Pacific cod from trawl catcher/processors to trawl catcher vessels in the BSAI.

#### Classification

All 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 full utilization of the Pacific cod TAC. A delay in the effective date is impracticable and contrary to the public interest. Further delay would only disrupt the FMP's objective of providing a portion of the Pacific cod TAC for trawl catcher vessels in the BSAI. NMFS finds for good cause that the implementation of this action can not 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 taken under 50 CFR 679.20, and is exempt from OMB review under E.O. 12866.

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

Dated: September 26, 1997.

**Bruce C. Morehead,**

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

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