DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
50 CFR Part 679
[Docket No. 971208297–8054–02; I.D. 072498D]

Fisheries of the Exclusive Economic Zone Off Alaska; “Other Rockfish” 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 retention of “other rockfish” in the Western Regulatory Area of the Gulf of Alaska (GOA). NMFS is requiring that catch of “other rockfish” in this area be treated in the same manner as prohibited species and discarded at sea with a minimum of injury. This action is necessary because the amount of the “other rockfish” in this area has been reached. Therefore, NMFS is requiring that further catches of “other rockfish” in the Western Regulatory Area of the GOA be treated as prohibited species in accordance with § 679.21(b).

Classification
This action responds to the best available information recently obtained from the fishery. It must be implemented immediately to prevent overharvesting the amount of the “other rockfish” TAC in the Western Regulatory Area of the GOA. A delay in the effective date is impracticable and contrary to the public interest. The fleet has taken the amount of the “other rockfish” TAC in the Western Regulatory Area. Further delay would only result in overharvest. NMFS finds for good cause that the implementation of this action cannot be delayed for 30 days. Accordingly, under 5 U.S.C. § 679.21(d)(3)(ii)(B), was established by the Final 1998 Harvest Specifications of Groundfish for the GOA (63 FR 12027, March 12, 1998) for the third season, the period July 1, 1998 through September 30, 1998, as 400 mt.

In accordance with § 679.21(d)(7)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the third seasonal apportionment of the 1998 Pacific halibut bycatch mortality allowance specified for the trawl deep-water species fishery in the GOA has been caught. Consequently, NMFS is prohibiting directed fishing for the deep-water species fishery by vessels using trawl gear in the GOA. The species and species groups that comprise the deep-water species fishery are rockfish, deep water flatfish, Rex sole, arrowtooth flounder, and sablefish. Maximum retainable bycatch amounts may be found in the regulations at § 679.20(e) and (f).

Classification
This action responds to the best available information recently obtained from the fishery. It must be implemented immediately in order to prevent overharvesting the third seasonal apportionment of the 1998 Pacific halibut bycatch mortality allowance specified for the trawl deep-water species fishery in the GOA. A delay in the effective date is impracticable and contrary to the public interest. The third seasonal bycatch allowance of Pacific halibut has been caught. Further delay would only result in overharvest. NMFS finds for good cause that the implementation of this action cannot be delayed for 30 days. Accordingly, under