

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 970613138-7138-01; I.D. 080797B]

Fisheries of the Exclusive Economic Zone Off Alaska; Scallop Fishery; Shelikof District of Registration Area K

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

ACTION: Closure; inseason adjustment; request for comments.

SUMMARY: NMFS is closing the fishery for scallops in the Shelikof District of Registration Area K to prevent localized overfishing of scallops in that District. This action is necessary to prevent overfishing of scallops. It is intended to promote the goals and objectives of the Fishery Management Plan for the Scallop Fishery off Alaska.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), August 10, 1997, until 2400 hrs, A.l.t., June 30, 1998. Comments must be received at the following address no later than 4:30 p.m., A.l.t., August 29, 1997.

ADDRESSES: Comments may be sent to Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668, Attn. Lori

Gravel, or delivered to the fourth floor of the Federal Building, 709 West 9th Street, Juneau, AK.

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

SUPPLEMENTARY INFORMATION: The scallop fishery off Alaska in the exclusive economic zone is managed by NMFS according to the Fishery Management Plan for the Scallop Fishery Off Alaska (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 F of 50 CFR part 600 and 50 CFR part 679.

The 1997 total allowable catch for scallops in Registration Area K, which includes the Shelikof District, was established by the 1997-98 Harvest Specifications (62 FR 34182, June 25, 1997) as 400,000 lb (181.4 mt) of shucked scallop meat. As of August 3, 1997, 223,000 lb (101.15 mt) of shucked scallop meat have been landed from the Shelikof District.

The Alaska Department of Fish and Game, Commercial Fisheries Management and Development Division, has monitored the scallop fishery in the Shelikof District of Registration Area K since the fishery opened on July 1, 1997. Harvest rates of scallops have declined by 20 percent, indicating that fishing mortality is

exceeding the biologically acceptable catch in the Shelikof District.

The Administrator, Alaska Region, NMFS, has determined, in accordance with § 679.63(a), § 679.25(a)(1)(i) and § 679.25(a)(2)(i)(A), that on the basis of the best available scientific information, the closure of the scallop season within the Shelikof District of Registration Area K is necessary to prevent overfishing of this stock of scallops. Therefore, NMFS is prohibiting the taking and retention of scallops in the Federal waters of the Shelikof District of Registration Area K.

Classification

The Assistant Administrator for Fisheries, NOAA, finds for good cause that providing prior notice and public comment on this action is impracticable and contrary to the public interest. Immediate effectiveness is necessary to prevent overfishing the stock of scallops in the Shelikof District of Registration Area K. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is required by § 679.63 and is exempt from review under E.O. 12866.

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

Dated: August 8, 1997

Gary C. Matlock,

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

[FR Doc. 97-21534 Filed 8-11-97; 12:13 pm]

BILLING CODE 3510-22-F