

## IDAHO PM-10—Continued

Designated area	Designation		Classification	
	Date	Type	Date	Type
(Excluding the Power-Bannock Counties, part of: Pocatello-State Lands and Fort Hall Indian Reservation PM-10 nonattainment areas).				
Eastern Washington-Northern Idaho Interstate AQCR 62 .....	11/15/90	Unclassifiable		
(Excluding the Shoshone County and City of Pinehurst PM-10 non-attainment areas).				
Idaho Intrastate AQCR 63 .....	11/15/90	Unclassifiable		
(Excluding the Sandpoint Area PM-10 nonattainment area).				
Metropolitan Boise Intrastate AQCR 64 .....	11/15/90	Unclassifiable		
(Excluding the former Ada County Boise PM-10 nonattainment area).				

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 679**

[Docket No. 990304063-9063-01; I.D. 030899B]

**Fisheries of the Exclusive Economic Zone Off Alaska; Closures of Specified Groundfish Fisheries in the Bering Sea and Aleutian Islands**

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

**ACTION:** Closure.

**SUMMARY:** NMFS is closing specified groundfish fisheries in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the prohibited species bycatch allowances and directed fishing allowances specified for the 1999 BSAI groundfish fisheries.

**DATES:** Effective 12:00 noon, Alaska local time, March 8, 1999, through 2400 hrs, (A.l.t.), December 31, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mary Furuness, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI 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 50 CFR part 679.

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator) may establish a directed fishing allowance for that species or species group if the Regional Administrator determines that any allocation or apportionment of a target species or "other species" category has been or will be reached. NMFS will prohibit directed fishing for that species or species group in the specified subarea or district if the Regional Administrator establishes a directed fishing allowance, and that allowance is or will be reached before the end of the fishing year (§ 697.20(d)(1)(iii)). Similarly, under § 679.21(e), if the Regional Administrator determines that a fishery category's bycatch allowance of halibut, red king crab, or *C. bairdi* Tanner crab for a specified area has been reached, the Regional Administrator will prohibit directed fishing for each species in that category in the specified area.

The Regional Administrator has determined that the following remaining allocation amounts will be necessary as incidental catch to support other anticipated groundfish fisheries for the 1999 fishing year:

Bogoslof District: Pollock 846 mt  
Aleutian Islands subarea: Pollock 2,000 mt  
Sharpchin/northern rockfish 3,913 mt  
Shorotraker/rougheye rockfish 893 mt  
"Other rockfish" 583 mt  
Bering Sea subarea: Pacific ocean perch 1,190 mt  
"Other rockfish" 314 mt  
"Other red rockfish" 227 mt

In accordance with § 679.20(d)(1)(i), the Regional Administrator establishes the directed allowances for the above species or species groups as 0 mt.

Therefore, in accordance with § 679.20(d)(1)(iii) NMFS is prohibiting directed fishing for these species in the specified areas. These closures will remain in effect through 2400 hrs, Alaska local time (A.l.t.), December 31, 1999.

In addition, the BSAI, Zone 1, annual red king crab allowance specified in the final 1999 harvest specifications for groundfish in the BSAI for the trawl rockfish fishery (§ 679.21(e)(3)(iv)(D)) is 0 mt and the BSAI first seasonal halibut bycatch allowance specified in the final 1999 harvest specifications for groundfish in the BSAI for the trawl rockfish fishery is 0 mt. The BSAI annual halibut bycatch allowance specified in the final 1999 harvest specifications for groundfish in the BSAI for the trawl Greenland turbot/arrowtooth flounder/sablefish fishery categories, (§ 679.21(e)(3)(iv)(C)) is 0 mt. In accordance with § 679.21(e)(7)(ii) and (v), NMFS is prohibiting directed fishing for rockfish by vessels using trawl gear in Zone 1 of the BSAI, directed fishing for rockfish by vessels using trawl gear in the BSAI and for Greenland turbot/arrowtooth flounder/sablefish by vessels using trawl gear in the BSAI. These closures will remain in effect through 2400 hrs, A.l.t., December 31, 1999 for Greenland turbot/arrowtooth flounder/sablefish by vessels using trawl gear in the BSAI and 2400 hrs, A.l.t., December 31, 1999, for rockfish by vessels using trawl gear in Zone 1 in the BSAI, and 1200 hrs, A.l.t., July 4, 1999, for rockfish by vessels using trawl gear in the BSAI.

Under authority of the interim 1999 harvest specifications (64 FR 50, January 4, 1999), NMFS closed directed fishing for Atka mackerel in the Eastern Aleutian District and the Bering Sea subarea of the BSAI effective 1200 hrs, A.l.t., January 29, 1999, through 2400 hrs, A.l.t., December 31, 1999 (64 FR 5198, February 3, 1999); pollock by vessels catching pollock for processing by the mothership component in the critical habitat/catcher vessel operation area (CH/CVOA) of the BSAI effective 1200 hrs, A.l.t., February 9, 1999 (64 FR 7557, February 16, 1999); pollock by vessels greater than 99 feet LOA catching pollock for processing by the inshore component in the CH/CVOA of

the BSAI effective 12 noon, A.l.t., February 11, 1999, until 1200 hrs, A.l.t., February 20, 1999 (64 FR 7815, February 17, 1999); fishing with non-pelagic trawl gear in the red king crab savings subarea effective 12 noon, A.l.t., February 14, 1999 (64 FR 8269, February 19, 1999); trawling within Steller sea lion critical habitat in the Central Aleutian District of the BSAI effective 12 noon, Alaska local time, February 13, 1999, until the directed fishery for Atka mackerel closes within the entire Central Aleutian District (64 FR 8013, February 18, 1999); pollock for processing by the inshore component in the CH/CVOA of the BSAI effective 2400 hrs, A.l.t., February 28, 1999, until 1200 hrs, A.l.t., August 1, 1999 (64 FR 10399, March 4, 1999); Atka mackerel in the Central Aleutian District of the BSAI effective 1200 hrs, A.l.t., March 1, 1999, until the filing of the final 1999 harvest specifications for groundfish of the BSAI (64 FR 10398, March 4, 1999); rock sole/flathead sole/"other flatfish" fishery category of the BSAI effective 1200 hrs, A.l.t., February 26, 1999, until 1200 hrs, A.l.t., March 30 (64 FR 10398,

March 4, 1999). The amount of TAC remaining in these fisheries under the final specifications of groundfish following closure under the interim specifications will be taken as incidental catch in directed fishing for other species. Thus, these closures remain effective under authority of the final 1999 harvest specifications.

These closures supersede the closures announced in the 1999 interim specifications (64 FR 50, January 4, 1999). While these closures are in effect, the maximum retainable bycatch amounts at § 679.20(e) and (f) apply at any time during a fishing trip. These closures to directed fishing are in addition to closures and prohibitions found in regulations at 50 CFR part 679. Refer to § 679.2 for definitions of areas. In the BSAI, "Other rockfish" includes Sebastes and Sebastolobus species except for Pacific ocean perch, shortraker, rougheye, sharpchin, and northern rockfish.

#### **Classification**

This action is required by § 679.20 and § 679.21 and is exempt from review under E.O. 12866.

This action responds to the TAC limitations and other restrictions on the fisheries established in the final 1999 harvest specifications for groundfish for the BSAI. It must be implemented immediately to prevent overharvesting the 1999 TAC of several groundfish species in the BSAI. A delay in the effective date is impracticable and contrary to the public interest. The fleet is currently harvesting groundfish, and further delay would only result in overharvest. NMFS finds for good cause that the implementation of this action should not be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

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

Dated: March 8, 1999.

**Gary C. Matlock,**

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

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