

Amendment 13 was under development, and the Council expected that Amendment 13 would authorize future use of the emergency provisions on a permanent basis. Accordingly, an emergency rule with a request for public comments was prepared in conjunction with the annual specifications and management measures for 2000. It was filed with the **Federal Register** on December 27, 1999, published on January 4, 2000 (65 FR 221), and became effective on January 1, 2000. A detailed discussion on the management measures, rebuilding plans, and rationale for the emergency action is included in the preamble to the emergency rule/annual management measures (65 FR 221, January 4, 2000) and the environmental assessment/regulatory impact review for that action, and is not restated in this extension.

Public Comments

NMFS received a number of comments on the emergency rule and annual specifications and management measures, and already has, or will, respond to those comments individually, with one exception. NMFS received, as a comment, a copy of the complaint that was filed in Federal District Court in the Northern District of California, in the case of *Solomon v. Daley*, Civil No. 00-0383. NMFS will respond to this comment in the context of that lawsuit rather than in the extension to the emergency rule.

Classification

This emergency rule has been determined to be not significant for purposes of Executive Order 12866.

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

Dated: June 27, 2000.

Andrew A. Rosenberg,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[I.D. 061500D]

Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna

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

ACTION: Harpoon category closure.

SUMMARY: NMFS has determined that the Atlantic bluefin tuna (BFT) Harpoon category annual quota for the 2000 fishing year will be attained by June 26, 2000. Therefore, the 2000 Harpoon category fishery will be closed effective at 11:30 p.m. on June 26, 2000. This action is being taken to prevent overharvest of the Harpoon category quota.

DATES: Effective 11:30 p.m. local time on June 26, 2000, through May 31, 2001.

FOR FURTHER INFORMATION CONTACT: Pat Scida or Brad McHale, 978-281-9260.

SUPPLEMENTARY INFORMATION: Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of BFT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 635. Section 635.27(a) subdivides the U.S. quota recommended by the International Commission for the Conservation of Atlantic Tunas (ICCAT) among the various domestic fishing categories.

Harpoon Category Closure

NMFS is required, under § 635.28 (a)(1), to file with the Office of the Federal Register for publication notification of closure when a BFT quota is reached or is projected to be reached. On and after the effective date and time of such notification, for the remainder of the fishing year or for a specified period as indicated in the notice, fishing for, retaining, possessing, or landing BFT under that quota category is prohibited until the opening of the subsequent quota period or until such date as specified in the notice.

The proposed 2000 BFT quota specifications issued pursuant to 50 CFR 635.27 would set a quota of 54.1 mt of large medium and giant BFT to be harvested from the regulatory area by vessels permitted in the Harpoon category during the 2000 fishing year (65 FR 33513, May 24, 2000). NMFS expects to issue final quota specifications by early July 2000, and based on comments received and the international quota mandated by ICCAT, does not anticipate changes to the proposed Harpoon category quota. Based on reported landings and effort, NMFS projects that this quota will be reached by June 26, 2000. Therefore, fishing for, retaining, possessing, or landing large medium or giant BFT by vessels in the Harpoon category must cease at 11:30 p.m. local time on June 26, 2000.

The intent of this closure is to prevent overharvest of the quota proposed for the Harpoon category. In the event the Harpoon category landings amount to

less than the final Harpoon category quota, NMFS would consider reopening the fishery.

Classification

This action is taken under §§ 635.27(a) and 635.28 (a)(1) and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: June 26, 2000.

Bruce C. Morehead,

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

[FR Doc. 00-16526 Filed 6-26-00; 4:35 pm]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 991228352-0012-02; I.D. 062100A]

Fisheries of the Exclusive Economic Zone Off Alaska; Rockfish and Pacific Ocean Perch in the Central and Eastern Regulatory Areas of the Gulf of Alaska

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 Pacific ocean perch and northern rockfish in the Central Regulatory Area, and Pacific ocean perch in the Eastern Regulatory Area of the Gulf of Alaska (GOA) by catcher vessels that are non-exempt under the American Fisheries Act (AFA). This action is necessary to allow non-exempt catcher vessels to participate in these fisheries consistent with regulations implementing the AFA.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), July 4, 2000, until 2400 hours, A.l.t., December 31, 2000, or until NMFS publishes further notice in the **Federal Register**.

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 sideboards in the Central Regulatory Area for Pacific ocean perch and northern rockfish are 639 metric tons (mt) and 138 mt respectively and for Pacific ocean perch in the Eastern Regulatory Area, 57 mt. These amounts were established by the Emergency Interim Rule to Implement Major Provisions of the American Fisheries Act (65 FR 4520, January 28, 2000). This emergency interim rule was extended through January 16, 2001 (65 FR 39107, June 23, 2000), in accordance with § 679.20(c)(2)(i).

The Administrator, Alaska Region, NMFS (Regional Administrator), has established a directed fishing allowance and bycatch amounts to support other anticipated groundfish fisheries for this component as follows: For the Central Regulatory Area Pacific ocean perch fishery, the directed fishing amount is

619 mt, and the bycatch amount is 20 mt. For the Central Regulatory Area northern rockfish fishery the directed fishing amount is 118 mt, and the bycatch amount is 20 mt. For the Eastern Regulatory Area Pacific ocean perch fishery, the directed fishing amount is 52 mt and the bycatch amount is 5 mt. These fisheries were closed to directed fishing by non-exempt AFA vessels on January 21, 2000 (65 FR 4520, January 28, 2000).

NMFS has determined that as of July 4, 2000, sufficient amounts remain in these directed fishing allowances to allow for the fisheries to occur. Therefore, NMFS is terminating the previous closures and is opening directed fishing for Pacific ocean perch in the Central and Eastern Regulatory Areas, and for northern rockfish in the Central Regulatory Area by catcher vessels that are non-exempt under the AFA.

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: June 26, 2000.

Bruce C. Morehead,

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