

* * * * *

Minidoka National Wildlife Refuge

* * * * *

D. Sport Fishing. We allow fishing on the refuge in accordance with State regulations and subject to the following conditions:

1. We allow bank fishing year-round. We only allow vehicle access (see § 27.31 of this chapter) to shoreline fishing areas on designated routes.

2. We allow ice fishing in accordance with State regulations. We prohibit motor vehicles (see § 27.31 of this chapter) on the ice.

3. We restrict boat fishing to designated areas as specified below:

i. On Lake Walcott, we allow boats from April 1 through September 30 within the area marked by buoys and posted signs.

ii. On Gifford Springs, we allow boats within the area marked by posted signs during the open sport fishing season.

iii. On Smith Springs, we allow boats within the area marked by posted signs during the open sport fishing season.

4. We allow use of float tubes at all times and locations except south of the southern buoy line on Lake Walcott.

[FR Doc. 07-55512 Filed 9-25-07; 8:45 am]

BILLING CODE 1505-01-D

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

[Docket No. 070213032-7032-01]

RIN 0648-XC88

Fisheries of the Economic Exclusive Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska

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

ACTION: Temporary rule; inseason adjustment; modification to a closure.

SUMMARY: NMFS is opening directed fishing for species that comprise the shallow-water species fishery by vessels using trawl gear in the Gulf of Alaska (GOA) for 48 hours, effective 1200 hrs, Alaska local time, September 21, 2007.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), September 21, 2007, through 1200 hrs, A.l.t., September 23, 2007. Comments must be received at the following address no later than 4:30 p.m., A.l.t., October 9, 2007.

ADDRESSES: Send comments to Sue Salvesson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, Attn: Ellen Sebastian. Comments may be submitted by:

• Mail to: P.O. Box 21668, Juneau, AK 99802;

• Hand delivery to the Federal Building, 709 West 9th Street, Room 420A, Juneau, Alaska;

• FAX to 907-586-7557;

• E-mail to inseason-fakr@noaa.gov and include in the subject line of the e-mail the document identifier: goaswx4s12b (E-mail comments, with or without attachments, are limited to 5 megabytes).

FOR FURTHER INFORMATION CONTACT: Jennifer Hogan, 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 fourth seasonal apportionment of the 2007 Pacific halibut bycatch allowance specified for the shallow-water species fishery in the GOA is 150 metric tons (mt) as established by the 2007 and 2008 harvest specifications for groundfish of the GOA (72 FR 9676, March 5, 2007 and revised by 72 FR 13217m March 21, 2007), for the period 1200 hrs, A.l.t., September 1, 2007, through 1200 hrs, A.l.t., October 1, 2007.

NMFS closed directed fishing for species that comprise the shallow-water species fishery by vessels using trawl gear in the GOA under § 679.21(d)(7)(i) on September 1, 2007 (72 FR 49229, August 28, 2007). NMFS reopened directed fishing for species that comprise the shallow-water species fishery by vessels using trawl gear in the GOA for 12 hours under § 679.25(a) on September 6, 2006 (72 FR 51717, September 11, 2007) and on September 11, 2006 (72 FR 52491, September 14, 2007).

As of September 17, 2007, NMFS has determined that 100 mt of the fourth seasonal apportionment of the 2007 Pacific halibut bycatch allowance for the fishery remains. Therefore, in accordance with §§ 679.25(a)(1)(i) and 679.25(a)(2)(i)(C), NMFS is opening directed fishing for the trawl shallow-water species fishery in the GOA, effective 1200 hrs, A.l.t., September 21, 2007. In accordance with § 679.21(d)(7)(i), the Administrator, Alaska Region, NMFS, has determined that the fourth seasonal apportionment of the 2007 Pacific halibut bycatch

allowance specified for the trawl shallow-water species fishery in the GOA will be reached after 48 hours. Consequently, NMFS is prohibiting directed fishing for the shallow-water species fishery by vessels using trawl gear in the GOA, effective 1200 hrs, A.l.t., September 23, 2007.

The species and species groups that comprise the shallow-water species fishery are pollock, Pacific cod, shallow-water flatfish, flathead sole, Atka mackerel, skates and "other species." This inseason adjustment does not apply to fishing for pollock by vessels using pelagic trawl gear in those portions of the GOA open to directed fishing for pollock. This inseason adjustment does not apply to vessels fishing under a cooperative quota permit in the cooperative fishery in the Rockfish Pilot Program for the Central GOA.

After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(3) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the opening of the shallow-water species fishery by vessels using trawl gear in the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of September 17, 2007.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

Without this inseason adjustment, NMFS could not allow the fishery for the shallow-water species fishery in the GOA to be harvested in an expedient manner and in accordance with the regulatory schedule. Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until October 9, 2007.