

**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 1999 TAC for northern rockfish in the Central 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 1999 TAC for northern rockfish in the Central Regulatory Area of the GOA. 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. 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: September 2, 1999.

**Bruce C. Morehead,**

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

[FR Doc. 99-23442 Filed 9-3-99; 3:50 pm]

BILLING CODE 3510-22-F

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

[Docket No. 990304062-9062-01; I.D. 090199D ]

**Fisheries of the Exclusive Economic Zone Off Alaska; Pelagic Shelf Rockfish in the Central 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 pelagic shelf rockfish in the Central Regulatory Area of the Gulf of Alaska (GOA). NMFS is requiring that catch of pelagic shelf 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 1999 total allowable catch (TAC) of pelagic shelf rockfish in this area has been achieved.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), September 3, 1999, until 2400 hrs, A.l.t., December 31, 1999.

**FOR FURTHER INFORMATION CONTACT:**

Thomas Pearson 907-481-1780 or tom.pearson@noaa.gov.

**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 1999 TAC of pelagic shelf rockfish in the Central Regulatory Area of the GOA was established as 3,370 metric tons by the Final 1999 Harvest Specifications of Groundfish for the GOA (64 FR 12094, March 11, 1999). See § 679.20(c)(3)(ii).

In accordance with § 679.20(d)(2), the Administrator, Alaska Region, NMFS, has determined that the amount of the 1999 TAC for pelagic shelf rockfish in the Central Regulatory Area of the GOA has been achieved. Therefore, NMFS is requiring that further catches of pelagic shelf rockfish in the Central 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 1999 TAC for pelagic shelf rockfish in the Central 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 1999 TAC for pelagic shelf rockfish in the Central Regulatory Area of the GOA. 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. 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: September 2, 1999.

**Bruce C. Morehead,**

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

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

[Docket No. 990304063-9063-01; I.D. 090399A]

**Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel to Vessels Using "Other Gear" in the Eastern Aleutian District and Bering Sea Subarea of the Bering Sea and Aleutian Islands**

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

**ACTION:** Closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Atka mackerel by vessels using "other gear" in the Eastern Aleutian District and the Bering Sea subarea of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the 1999 initial total allowable catch (ITAC) of Atka mackerel allocated to vessels using "other gear" in the Eastern Aleutian District and the Bering Sea subarea of the BSAI.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), September 7, 1999, until 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 exclusive economic zone 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 are found at subpart H of 50 CFR part 600 and CFR part 679.

The 1999 ITAC of Atka mackerel allocated to vessels using "other gear" in the Eastern Aleutian District and the Bering Sea subarea was established by the Final 1999 Harvest Specifications for Groundfish (64 FR 12103, March 11, 1999) as 15,568 metric tons (mt). See § 679.20(c)(6) and 679.20(a)(8).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the 1999 ITAC of Atka mackerel allocated to vessels using "other gear" in the Eastern Aleutian District and the Bering Sea subarea will be reached. Therefore, the Regional

Administrator is establishing a directed fishing allowance of 15,068 mt, and is setting aside the remaining 500 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance soon will be reached. Consequently, NMFS is prohibiting directed fishing for Atka mackerel for vessels using "other gear" in the Eastern Aleutian District and the Bering Sea subarea of the BSAI.

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 to prevent overharvesting the 1999 ITAC of Atka mackerel allocated to vessels using "other gear" in the Eastern Aleutian District and the Bering Sea subarea of the BSAI. A delay in the effective date is impracticable and contrary to the public interest. 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.

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: September 3, 1999.

#### Bruce C. Morehead,

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

[FR Doc. 99-23459 Filed 9-3-99; 4:07 pm]

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### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[I.D. 082599A]

#### Fisheries of the Exclusive Economic Zone Off Alaska; License Limitation Program

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notification of application period.

**SUMMARY:** NMFS announces an application period for persons applying for a groundfish or crab species license under the License Limitation Program (LLP) for the Groundfish Fishery of the Bering Sea and Aleutian Islands Management Area, the Groundfish of the Gulf of Alaska, and the Commercial King and Tanner Crab Fisheries in the Bering Sea and Aleutian Islands. This announcement is necessary to begin the application process to determine eligible participants in the fisheries managed under the LLP and is intended to provide potential eligible applicants with notice of the opportunity to apply for a groundfish or crab species license.

**DATES:** Applications must be postmarked or delivered to NMFS (see ADDRESSES) during the application period beginning September 13, 1999, and ending at the close of business on December 17, 1999.

**ADDRESSES:** Applications can be requested from, and must be sent to, Restricted Access Management, NMFS, P.O. Box 21668, Juneau, AK 99802-1668. Hand delivery or courier delivery of applications must be delivered to the Federal Building, 709 West 9th Street, Room 453, Juneau, AK 99801.

**FOR FURTHER INFORMATION CONTACT:** Restricted Access Management, 1-800-304-4846.

**SUPPLEMENTARY INFORMATION:** In June 1995, the North Pacific Fishery Management Council (Council) recommended that NMFS implement the LLP to address concerns of excess capital and capacity in the groundfish and crab fisheries off Alaska. As the next stage of a multistaged process to reduce capacity and capital in the affected fisheries, the LLP will replace the Vessel Moratorium Program (VMP). NMFS implemented the VMP to impose a temporary moratorium on the entry of new capacity into the groundfish and crab fisheries off Alaska and to define the class of entities that would be eligible for licenses under the LLP. The VMP is scheduled to expire on December 31, 1999. The final rule implementing the LLP (63 FR 52642, October 1, 1998) specifies that fishing

will begin under the LLP on January 1, 2000.

A final rule establishing the application period and the procedures to apply for a license will become effective on September 7, 1999 (64 FR 42826, August 6, 1999). This rule provides at § 679.4(k)(6)(ii) that an application period of no less than 90 days will be specified by notification in the **Federal Register**. This rule also provides at § 679.4(k)(6)(i) that a person may request an application for a groundfish license or a crab species license issued under the LLP.

This notification is intended to comply with the application procedures established in § 679.4(k)(6). An application will be sent to the last known address of a person that appears to be an eligible applicant based on information in the official LLP record. All other persons are hereby notified that they must request an application from Restricted Access Management, NMFS (see ADDRESSES). The application period for groundfish licenses and crab species licenses under the LLP begins on September 13, 1999, and ends at the close of business on December 17, 1999. Incomplete applications will be returned to the applicant with specific kinds of information identified that are necessary to make the application complete. Applications postmarked after December 17, 1999, or delivered after the close of business on December 17, 1999, will be denied.

#### Classification

This action is taken under 50 CFR 679.4(k)(6) and is exempt from review under E.O. 12866.

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

Dated: September 2, 1999.

#### Bruce C. Morehead,

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

[FR Doc. 99-23487 Filed 9-9-99; 8:45 am]

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