

and approximately 2.3 mt of large medium/giant BFT (subquota of 5 mt) were landed. Updates to these estimates will be used to effect any further inseason adjustments as necessary. NMFS has determined that a catch limit adjustment is warranted to ensure reasonable fishing opportunities in all geographic areas without risking overharvest.

The daily catch limit for the southern area is adjusted as follows: No more than one BFT per angler, with a maximum of three fish per vessel, from the school size class may be retained each day per Angling category vessel. In addition, one BFT per vessel per day may be landed from the large school or small medium size class. This catch limit adjustment is effective June 26 through July 27, 1998, whereupon the catch limit will revert to one BFT from the school, large school, or small medium size class per vessel per day.

These catch limits have been selected based on catch rates for the 1997 fishing season. Therefore, NMFS will continue to monitor the Angling category fishery closely through the Automated Catch Reporting System and the Large Pelagic Survey. Depending on the level of fishing effort and catch rates of BFT, NMFS may determine that an interim closure or additional catch limit adjustment is necessary to enhance scientific data collection from all geographic areas. Closures or subsequent adjustments to the daily catch limit, if any, shall be announced through publication in the **Federal Register**. In addition, anglers may call the Atlantic Tunas Information Line at 888-USA-TUNA (888-872-8862), 301-713-1279, or 978-281-9305 for updates on quota monitoring and catch limit adjustments. Anglers aboard Charter/Headboat vessels, when engaged in recreational fishing for school, large school, and small medium BFT, are subject to the same rules as anglers aboard Angling category vessels. All BFT landed under the Angling category quota must be reported within 24 hours of landing to the NMFS Automated Catch Reporting System by phoning 888-USA-TUNA (888-872-8862), or in North Carolina, to a reporting station. For information about the North Carolina Harvest Tagging Program, including reporting station locations, call 800-338-7804.

Classification

This action is taken under 50 CFR 285.24(d)(3) and is exempt from review under E.O. 12866.

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

Dated: June 23, 1998.

Gary C. Matlock,

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

[FR Doc. 98-17166 Filed 6-23-98; 5:02 pm]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 980319068-8155-02; I.D. 021998A]

RIN 0648-AK59

Fisheries Off West Coast States and in the Western Pacific; Western Pacific Bottomfish Fishery; Fishing Moratorium

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

ACTION: Final rule.

SUMMARY: NMFS is extending the current moratorium on harvesting seamount groundfish from the Hancock Seamount in the Northwestern Hawaiian Islands until August 31, 2004. The fishery has been under a moratorium since 1986. This action is being taken in response to a recommendation by the Western Pacific Fishery Management Council (Council), which heard reports from its Bottomfish Plan Team and Scientific and Statistical Committee that revealed that armorhead (*Pentaceros richardsoni*), an overfished seamount species, has not recovered. The intent of this action is to allow the protection provided for this resource to continue.

DATES: Effective September 1, 1998.

ADDRESSES: Request for information relevant to this action should be sent to William T. Hogarth, Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802.

FOR FURTHER INFORMATION CONTACT: James J. Morgan or Svein Fougner, Assistant Regional Administrator for Sustainable Fisheries, (562) 980-4030, or Al Katekaru, Pacific Islands Area Office, (808) 973-2985.

SUPPLEMENTARY INFORMATION: A proposed rule was published in the **Federal Register** on March 26, 1998 (63 FR 14675) requesting public comments on extending the moratorium on harvesting seamount groundfish from Hancock Seamount in the Northwestern Hawaiian Islands until August 31, 2004. There were no comments received

during the public comment period ending May 11, 1998.

This resource was overfished by foreign vessels before the Magnuson Fishery Conservation and Management Act was implemented; it has never been the target of domestic fishermen. The original Fishery Management Plan for the Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region, implemented in 1986, established a moratorium on fishing for bottomfish and seamount groundfish (51 FR 27413, July 31, 1986). Periodic reviews of the stocks indicated that no recovery had occurred. Therefore, on August 17, 1992 (57 FR 36907), the moratorium was extended to August 31, 1998. Armorhead was listed as overfished in the September 1997 "Report to Congress Status of Fisheries of the United States."

The last U.S. research cruise of Hancock Seamount was conducted in 1993; however, the Japanese trawl fleet continues to harvest armorhead on neighboring seamounts outside the exclusive economic zone (EEZ). According to bottom trawl catch and effort statistics provided by the National Research Institute of the Far Seas Fisheries, the most current (1995) spawning potential ratio (SPR) for the armorhead stock is 1.8 percent at all seamounts outside the EEZ. These seamounts comprise 95 percent of the trawl grounds and 91 percent of the total historic seamount-wide catch in the Japanese trawl fishery. Based on the low SPR value, it is inferred that the status of the Hancock Seamount armorhead stock is similarly depressed and well under the current 20 percent SPR definition for an overfished stock.

At its April 21, 1997, meeting, the Council heard reports from its Bottomfish Plan Team and Scientific and Statistical Committee on the status of seamount groundfish resources. On the basis of those reports, and in accordance with the framework procedures at 50 CFR 660.67, the Council recommended that the moratorium be extended for at least another 6 years (i.e., August 31, 2004).

The Council recognizes that the stocks extend outside the EEZ and that the moratorium will not ensure recovery of the resource within the EEZ; however, the action is in accordance with U.S. responsibilities under the Magnuson-Stevens Fishery Conservation and Management Act. The Council also has taken action to convene a panel of international experts to explore possible international management of the Emperor and Hawaiian Ridge Seamount armorhead fishery under the aegis of the United Nations Agreement Relating to

Straddling Fish Stocks and Highly Migratory Fish Stocks.

Classification

This final rule has been determined to be not significant for purposes of E.O. 12866.

The Assistant General Counsel for Legislation and Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this rule, would not have a significant economic impact on a substantial number of small entities. No comments were received regarding this

certification. As a result, a regulatory flexibility analysis was not prepared.

List of Subjects in 50 CFR Part 660

Administrative practice and procedure, American Samoa, Fisheries, Fishing, Guam, Hawaiian Natives, Indians, Northern Mariana Islands, Reporting and recordkeeping requirements.

Dated: June 23, 1998.

David L. Evans,

*Deputy Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

For the reasons set out in the preamble, 50 CFR part 660 is amended as follows:

PART 660—FISHERIES OFF WEST COAST STATES AND IN THE WESTERN PACIFIC

1. The authority citation for part 660 continues to read as follows:

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

2. Section 660.68 is revised to read as follows:

§ 660.68 Fishing moratorium on Hancock Seamount.

Fishing for bottomfish and seamount groundfish on the Hancock Seamount is prohibited through August 31, 2004.

[FR Doc. 98-17274 Filed 6-26-98; 8:45 am]

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