

Additionally, it notes, the *Notice of Proposed Rulemaking* was released during the year-end holidays, which reduced the amount of available time for review.

2. For the foregoing reasons, It Is Hereby Ordered that the time within which to file comments in this proceeding is extended to February 17, 1995 and the deadline for filing reply comments is extended to March 17, 1995.

List of Subjects

47 CFR Part 1

Administrative practice and procedure.

47 CFR Part 2

Radio.

47 CFR Part 21

Communications equipment.

47 CFR Part 94

Communications equipment.

Federal Communications Commission.

Robert H. McNamara,

Acting Chief, Private Radio Division, Wireless Telecommunications Bureau.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 663

[Docket No. 950209046-5046-01; I.D. 021495B]

RIN 0648-AG82

Pacific Coast Groundfish Fishery; Modification of Nontrawl Sablefish Season

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

ACTION: Temporary rule.

SUMMARY: By a separate notice in the **Federal Register**, NMFS will publish proposed regulations that would establish a new season structure for the nontrawl sablefish component of the Pacific Coast Groundfish (PCG) limited entry fishery. The proposed new regular season would begin at noon August 6 each year. Under the regulations currently governing the fishery, the PCG nontrawl sablefish regular season could start as early as February 26, 1995, preceded by a 72-hour closure beginning on February 23. This early season is unacceptable to the industry for a number of reasons, particularly

safety, but also because at that time the quality and market value of sablefish is lower and there are alternative fishing opportunities. Accordingly, NMFS is temporarily amending the current regulations to prevent the PCG nontrawl sablefish regular season from opening pending the completion of the above-mentioned rulemaking to establish a new season structure for the fishery.

EFFECTIVE DATE: This rule is effective from February 17, 1995, through September 1, 1995.

ADDRESSES: Information relevant to this temporary rule is available for public review during business hours at the Office of the Director, Northwest Region, NMFS, 7600 Sand Point Way NE., BIN C15700, Seattle, WA 98115-0070; and at the Office of the Director, Southwest Region, NMFS, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213. Copies of the Environmental Assessment/Regulatory Impact Review (EA/RIR) can be obtained from the Pacific Fishery Management Council (Council), 2000 SW First Avenue, Suite 420, Portland, OR 97201.

FOR FURTHER INFORMATION CONTACT:

William L. Robinson at 206-526-6140, or Rodney R. McInnis at 310-980-4030.

SUPPLEMENTARY INFORMATION:

By a separate notice in the **Federal Register**, NMFS, based on a recommendation of the Council, will propose regulations that would establish a new season structure for the nontrawl sablefish component of the PCG limited entry fishery. The proposed new regular season would begin at noon August 6 each year. Both the limited entry and open-access fisheries would be required to remove all nontrawl gear from the water for the 72-hour period just prior to the start of the regular season for the limited entry fishery, except that baited pot gear may be deployed 24 hours prior to the start.

Under section IV.E.(3)(c) of the current annual specifications for the fishery, the limited entry sector of the nontrawl sablefish fishery is subject to a 300-lb (136 kg) daily trip limit when N. of 36°00'00" N. lat. and a 350-lb (159 kg) daily trip limit when S. of 36°00'00" N. lat. (60 FR 2331, 2343, January 9, 1995). Under the current regulations (50 CFR 663.23(b)(2)(i)), the opening of the PCG nontrawl sablefish regular season is linked to the first nontrawl sablefish season opening in the Gulf of Alaska (GOA), which normally occurs in May. Under the new GOA Individual Fishing Quota (IFQ) program, which is governed by 50 CFR part 676, the Alaska season could start as early as March 1, 1995, causing the PCG fishery to open on

February 26, 1995, preceded by a 72-hour closure beginning on February 23. This early season is unacceptable to the industry for a number of reasons, particularly safety, but also because at that time the quality and market value of sablefish is lower and there are alternative fishing opportunities.

Accordingly, NMFS is temporarily amending the current regulations to prevent the PCG nontrawl sablefish regular season from opening pending the completion of the above-mentioned rulemaking to establish a new season structure for the fishery.

Classification

The Assistant Administrator for Fisheries, NOAA, (AA), has determined that this temporary rule is consistent with the Pacific Coast Groundfish Fishery Management Plan, the Magnuson Fishery Conservation and Management Act, and other applicable law.

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

The Council prepared an Environmental Assessment (EA) for the proposed establishment of a new season structure for the nontrawl sablefish component of the PCG limited entry fishery.

On the basis of the EA, the AA concluded that there would be no significant impact on the environment.

NMFS is taking this action under the abbreviated rulemaking authority of the FMP (see 50 CFR part 663, Appendix III.B.3). This action and the proposed establishment of a new season structure was discussed, and was subject to public comment and scrutiny during Council meetings in August and October, 1994. The date the season would have opened under the existing rule is still uncertain, but the opening is tied to the opening date of the nontrawl sablefish season in the GOA and would probably be February 26. A late February opening is not desirable for several reasons, including potentially unsafe fishing conditions due to rough winter weather along much of the coast.

Accordingly, the AA has determined under 5 U.S.C. 553(b)(B) that it is unnecessary and contrary to the public interest to provide prior notice in the **Federal Register** and to provide an opportunity for public comment on preventing the PCG nontrawl sablefish regular season from opening pending the completion of the above mentioned rulemaking to establish a new season structure for the fishery.

For the same reasons, the AA also finds good cause under 5 U.S.C.

553(d)(3) not to delay the effectiveness of this temporary rule for 30 days. Otherwise the regular season could open as early as February 26, 1995, preceded by a 72-hour closure beginning on February 23.

List of Subjects in 50 CFR Part 663

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: February 16, 1995.

Gary Matlock,

Program Management Officer, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 663 is temporarily amended effective February 17, 1995, through September 1, 1995, as follows:

PART 663—PACIFIC COAST GROUND FISH FISHERY

1. The authority citation for part 663 continues to read as follows:

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

2. In § 663.23, paragraphs (b)(2)(i) through (b)(2)(iv) are suspended, and paragraph (b)(2)(v) is added to read as follows:

§ 663.23 Catch restrictions.

* * * * *

(b) * * *

(2) * * *

(v) The regular season for the nontrawl sablefish fishery is postponed pending the establishment of a new season structure. Trip landing, frequency, and/or size limits may be imposed under paragraph (c) of this section.

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[FR Doc. 95-4445 Filed 2-17-95; 3:02 pm]

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50 CFR Part 675

[Docket No. 950206040-5040-01; I.D. 021795B]

Groundfish of the Bering Sea and Aleutian Islands Area; Offshore Component Pollock in the Bering Sea Subarea

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

ACTION: Closure.

SUMMARY: NMFS is closing the directed fishery for pollock by vessels catching pollock for processing by the offshore component in the Bering Sea subarea (BS) of the Bering Sea and Aleutian Islands management area (BSAI). This

action is necessary to prevent exceeding the first allowance of the pollock total allowable catch (TAC) for the offshore component in this area.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), February 21, 1995, until 12 noon, A.l.t., August 15, 1995.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, 907-586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the BSAI exclusive economic zone is managed by NMFS 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 Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 675.

In accordance with § 675.20(a)(7)(ii), the first seasonal allowance of pollock for vessels catching pollock for processing by the offshore component in the BS was established by the final groundfish specifications (60 FR 8479, February 14, 1995), as 310,781 metric tons (mt).

The Director, Alaska Region, NMFS (Regional Director), has determined in accordance with § 675.20(a)(8), that the first allowance of pollock TAC for the offshore component in the BS soon will be reached. Therefore, the Regional Director has established a directed fishing allowance of 300,781 mt with consideration that 10,000 mt will be taken as incidental catch in directed fishing for other species in the BS. Consequently, NMFS is prohibiting directed fishing for pollock by vessels catching pollock for processing by the offshore component in the BS.

Directed fishing standards for applicable gear types may be found in the regulations at § 675.20(h).

Classification

This action is taken under § 675.20 and is exempt from review under E.O. 12866.

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

Dated: February 17, 1995.

Alfred Bilik,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 95-4446 Filed 2-17-95; 3:15 pm]

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50 CFR Part 675

[Docket No. 950206040-5040-01; I.D. 021795A]

Groundfish of the Bering Sea and Aleutian Islands Area; Rock Sole/Flathead Sole/"Other Flatfish"

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

ACTION: Closure.

SUMMARY: NMFS is closing the directed fishery for species in the rock sole/flathead sole/"other flatfish" fishery category by vessels using trawl gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the first seasonal bycatch allowance of Pacific halibut apportioned to the trawl rock sole/flathead sole/"other flatfish" fishery category in the BSAI.

EFFECTIVE DATE: 12 noon, Alaska local time (A.l.t.), February 21, 1995, until 12 noon, A.l.t., March 30, 1995.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, 907-586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the BSAI exclusive economic zone is managed by NMFS 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 Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 675.

The first seasonal bycatch allowance of Pacific halibut for the BSAI trawl rock sole/flathead sole/"other flatfish" fishery category, which is defined at § 675.21(b)(1)(iii)(B)(2), was established as 428 metric tons (mt) by the 1995 initial specifications (60 FR 8479, February 14, 1995).

The Director, Alaska Region, NMFS, has determined, in accordance with § 675.21(c)(1)(iii), that the first seasonal bycatch allowance of Pacific halibut apportioned to the trawl rock sole/flathead sole/"other flatfish" fishery in the BSAI has been caught. Therefore, NMFS is prohibiting directed fishing for species in the rock sole/flathead sole/"other flatfish" fishery category by vessels using trawl gear in the BSAI.

Directed fishing standards for applicable gear types may be found in the regulations at § 675.20(h).