

PART 1312—REGULATIONS FOR THE PUBLICATION, POSTING AND FILING OF TARIFFS FOR THE TRANSPORTATION OF PROPERTY BY OR WITH A WATER CARRIER IN NONCONTIGUOUS DOMESTIC TRADE

1. The authority citation for part 1312 continues to read as follows:

Authority: 49 U.S.C. 721(a), 13702(a), 13702(b) and 13702(d).

2. In § 1312.17, paragraphs (b) and (d) are revised to read as follows:

§ 1312.17 Electronic filing of tariffs.

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(b) *Compliance with FMC requirements.* All tariffs filed electronically must fully comply with the filing and posting procedures, and the data record format and content requirements, established for the ATFI system (see 46 CFR part 514).

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(d) *Relief from this part.* Electronically filed tariffs will not be subject to the filing and posting procedures, and the format requirements, for printed tariffs as set forth in §§ 1312.4, 1312.5, and 1312.7 through 1312.15; however, such tariffs must otherwise fully comply with the requirements of this part.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 961107312-7021-02; I.D. 052897A]

Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker and Roughey Rockfish in the Aleutian Islands Subarea

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

ACTION: Inseason adjustment; request for comments.

SUMMARY: NMFS issues an inseason adjustment prohibiting retention of Pacific cod in the Aleutian Islands subarea of the Bering Sea and Aleutian Islands management area (BSAI) by vessels using trawl gear. This action is necessary to prevent overfishing of the shortraker/roughey rockfish species group.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), May 29, 1997, until 2400

hrs, A.l.t., December 31, 1997.

Comments must be received at the following address no later than 4:30 p.m., A.l.t., June 18, 1997.

ADDRESSES: Comments may be sent to Ronald J. Berg, Chief,

Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668 [Attn. Lori Gravel], or be delivered to the fourth floor of the Federal Building, 709 West 9th Street, Juneau, AK.

FOR FURTHER INFORMATION CONTACT: Andrew 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-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Fishing by U.S. vessels is governed by regulations implementing the FMP at subpart H of 50 CFR part 600 and 50 CFR part 679.

The Magnuson-Stevens Act requires that conservation and management measures prevent overfishing. The 1997 overfishing level for the shortraker/roughey rockfish species group in the Aleutian Islands subarea of the BSAI is established by the Final 1997 Harvest Specifications for Groundfish for the BSAI (62 FR 7168, February 18, 1997) as 1,250 metric tons (mt). The acceptable biological catch level for this group is 938 mt. As of May 10, 1997, 1,206 mt of shortraker/roughey rockfish have been caught.

NMFS closed directed fishing for shortraker/roughey rockfish in the Final 1997 Harvest Specifications of Groundfish and prohibited retention of shortraker/roughey rockfish on April 2, 1997 (62 FR 16736, April 8, 1997). Substantial trawl fishing effort will be directed at remaining amounts of Pacific cod in the Aleutian Islands subarea during 1997. These fisheries can have significant bycatch of shortraker/roughey rockfish.

The Administrator, Alaska Region, NMFS, has determined, in accordance with § 679.25(a)(1)(i) and (a)(2)(iii), that closing the season by prohibiting retention of Pacific cod by vessels using trawl gear is necessary to prevent overfishing of the shortraker/roughey rockfish species group, and is the least restrictive measure to achieve that purpose. Without this prohibition of retention, significant incidental catch of shortraker/roughey rockfish would

occur by trawl vessels targeting Pacific cod.

Therefore, NMFS is requiring that further catches of Pacific cod by vessels using trawl gear in the Aleutian Islands subarea of the BSAI be treated as prohibited species in accordance with § 679.21(b)(2).

The Assistant Administrator for Fisheries, NOAA, finds for good cause that providing prior notice and public comment or delaying the effective date of this action is impracticable and contrary to the public interest. Immediate effectiveness is necessary to prevent overfishing of shortraker/roughey rockfish in the Aleutian Islands subarea of the BSAI. Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until June 18, 1997.

Classification

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: May 28, 1997.

Bruce 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. 961107312-7021-02; I.D. 052897B]

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Hook-and-Line Gear in Bering Sea and Aleutian Islands

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

ACTION: Closure.

SUMMARY: NMFS is closing directed fishing for Pacific cod by vessels using hook-and-line gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the second seasonal apportionment of the 1997 Pacific halibut bycatch allowance specified for the Pacific cod hook-and-line fishery category.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), May 30, 1997, until 1200 hrs, A.l.t., September 15, 1997.

FOR FURTHER INFORMATION CONTACT: Mary Furuness, 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-Stevens Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at subpart H of 50 CFR part 600 and 50 CFR part 679.

The second seasonal apportionment of the 1997 Pacific halibut bycatch

allowance specified for the Pacific cod hook-and-line fishery in the BSAI, which is defined at § 679.21(e)(4)(ii)(A), was established by the Final 1997 Harvest Specifications of Groundfish for the BSAI (62 FR 7168, February 18, 1997) as 40 metric tons.

In accordance with § 679.21(e)(8), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the second seasonal apportionment of the 1997 Pacific halibut bycatch allowance specified for the Pacific cod hook-and-line fishery in the BSAI has been caught.

Consequently, NMFS is prohibiting directed fishing for Pacific cod by

vessels using hook-and-line gear in the BSAI.

Maximum retainable bycatch amounts for applicable gear types may be found in the regulations at § 679.20(e) and (f).

Classification

This action is required by 50 CFR 679.21 and is exempt from review under E.O. 12866.

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

Dated: May 29, 1997.

Bruce Morehead,

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

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