

**List of Subjects in 47 CFR Part 73**

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

**PART 73—[AMENDED]**

1. The authority citation for Part 73 continues to read as follows:

**Authority:** Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

**§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Utah, is amended by adding Randolph, Channel 272A.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

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

[Docket No. 961107312-7021-02; I.D. 070397E]

**Fisheries of the Exclusive Economic Zone Off Alaska; Recordkeeping and Reporting Requirements and Shortraker/Rougheye Rockfish in the Aleutian Islands Subarea**

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

**ACTION:** Change in recordkeeping and reporting requirements.

**SUMMARY:** NMFS has determined that Daily Production Reports (DPRs) must be submitted by operators of processor vessels that catch or receive shortraker/rougheye rockfish and shoreside processing facilities that receive shortraker/rougheye rockfish in the Aleutian Islands subarea of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent further mortality beyond the total allowable catch (TAC) and potential overfishing of shortraker/rougheye rockfish in that area.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), July 8, 1997, through 2400 hrs, A.l.t., December 31, 1997.

**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-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/rougheye rockfish 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) and the acceptable biological catch and the TAC as 938 mt. As of June 21, 1997, 1,182 mt of shortraker/rougheye rockfish have been caught.

Although retention of shortraker/rougheye rockfish was prohibited and several fisheries were closed to prevent overfishing of shortraker/rougheye rockfish (See 62 FR 16736, April 5, 1997; 62 FR 20129, April 25, 1997; 62 FR 26429, May 14, 1997), bycatch and discard continue to occur in fisheries still open.

Pursuant to § 679.5(j) the Administrator, Alaska Region, NMFS (Regional Administrator) is requiring operators of processor vessels that catch or receive shortraker/rougheye rockfish and shoreside processing facilities that receive shortraker/rougheye rockfish in the Aleutian Islands subarea of the BSAI to submit DPRs in addition to Weekly Production Reports.

These requirements are necessary to prevent further mortality beyond the TAC and potential overfishing of shortraker/rougheye rockfish in the Aleutian Islands subarea of the BSAI. The Regional Administrator is doing so in consideration of the potential for exceeding the overfishing level of

shortraker/rougheye rockfish in the Aleutian Islands subarea of the BSAI.

DPRs must include all information required by § 679.5(j)(4) for groundfish harvested from the applicable reporting areas. Processors must submit the required information on the "Alaska Groundfish Processor Daily Production Report" form that was distributed to participants in the groundfish fishery with their 1997 Federal fisheries permit. The form also may be obtained from the Regional Administrator by calling Mary Furuness at 907-586-7228. Processors must transmit completed DPRs to the Regional Administrator by facsimile transmission at 907-586-7131, no later than 12 hours after the end of the day the groundfish was processed. The collection of this information has been approved by the Office of Management and Budget, OMB Control Number 0648-0213.

Notwithstanding any other provision of law, no person is required to respond nor shall a person be subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately to prevent overharvesting shortraker/rougheye rockfish in the Aleutian Islands subarea of the BSAI. A delay in the effective date is impracticable and contrary to public interest. Further delay without DPRs could result in industry's reaching the overfishing level for this species group. 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 50 CFR 679.20 and is exempt from review under E.O. 12866.

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

Dated: July 8, 1997.

**Bruce Morehead,**

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