

amended, 47 U.S.C. 225, and Sections 0.141, 0.361, and 1.3 of the Commission's rules, 47 CFR 0.141, 0.361, and 1.3, documents DA 07-5098 and DA 08-45 are adopted. For VRS, the waivers of the one-line VCO, VCO-to-TTY, and VCO-to-VCO; one-line HCO, HCO-to-TTY, and HCO-to-HCO; call release; pay-per-call (900) calls, types of calls, and equal access to interexchange carrier requirements are hereby extended for one year, i.e., until January 1, 2009, conditioned on the filing of a report, due April 16, 2008, addressing whether it is necessary for the waivers to remain in effect. The waiver of the speed dialing requirement for VRS is extended through April 30, 2008.

19. For IP Relay, the waivers of the one-line VCO, VCO-to-TTY, and VCO-to-VCO; one-line HCO, HCO-to-TTY, and HCO-to-HCO; call release; pay-per-call (900) calls; STS; and speed dialing requirements are hereby extended for one year, i.e., until January 1, 2009, conditioned on the filing of a report, due April 16, 2008, addressing whether it is necessary for the waivers to remain in effect.

20. The waivers of the three-way calling requirements (for VRS and IP Relay) expired on January 1, 2008.

Federal Communications Commission.

Nicole McGinnis,

Deputy Bureau Chief, Consumer and Governmental Affairs Bureau.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 070213033-7033-01]

RIN 0648-XD68

Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area

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

ACTION: Temporary rule; closures and openings.

SUMMARY: NMFS is announcing the opening and closing dates of the Atka mackerel directed fishery within the harvest limit area (HLA) in Statistical Area 542 for the vessel participating in the Amendment 80 cooperative. This action is necessary to fully use the 2008

A season HLA limit established for the vessel participating in the Amendment 80 cooperative.

DATES: Effective 1200 hrs, A.l.t., February 13, 2008, until 1200 hrs, A.l.t., February 27, 2008.

Written comments must be received by February 28, 2008.

ADDRESSES: Send comments to Sue Salvesson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, Attn: Ellen Sebastian. You may submit comments, identified by 0648-XD68, by any one of the following methods:

- Electronic Submissions: Submit all electronic public comments via the Federal eRulemaking Portal website at <http://www.regulations.gov>;

- Mail: P.O. Box 21668, Juneau, AK 99802;

- Fax: (907) 586-7557; or

- Hand delivery to the Federal Building: 709 West 9th Street, Room 420A, Juneau, AK.

Instructions: All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

NMFS will accept anonymous comments. Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

FOR FURTHER INFORMATION CONTACT: Jennifer Hogan, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management 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 appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

In accordance with the 2007 and 2008 final harvest specifications for groundfish in the BSAI (72 FR 9451, March 2, 2007) and revision (72 FR 71802, December 19, 2007), and § 679.20(a)(8)(ii)(C)(1), the HLA limit of the A season allowance of the 2008 Atka mackerel TACs is 2,294 mt in the Central Aleutian District (area 542) for the Amendment 80 cooperative. The HLA directed fishery for the vessel

participating in the Amendment 80 cooperative were previously opened and closed (73 FR 4494, January 25, 2008) based on the HLA apportionments of the 2007 and 2008 final harvest specifications for groundfish in the BSAI (72 FR 9451, March 2, 2007) and revision (72 FR 71802, December 19, 2007).

NMFS has determined that approximately 1,139 mt remain in the Atka mackerel A season HLA limit in area 542 for the vessel participating in the Amendment 80 cooperative. Therefore, in accordance with § 679.25(a)(1)(i), (a)(2)(i)(C), and (a)(2)(iii)(D), and to fully utilize the 2008 A season HLA limit in area 542 for the vessel participating in the Amendment 80 cooperative, NMFS is reopening the directed fishery effective 1200 hrs, A.l.t., February 13, 2008.

In accordance with § 679.20(a)(8)(iii)(E), the Regional Administrator has established the closure date of the Atka mackerel directed fishery in the HLA for area 542 based on the amount of the harvest limit and the estimated fishing capacity of the vessel participating in the Amendment 80 cooperative. Consequently, NMFS is prohibiting directed fishing for Atka mackerel in the HLA of area 542 for the vessel participating in the Amendment 80 cooperative effective 1200 hrs, A.l.t., February 27, 2008.

After the effective dates of these closures, the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, (AA) finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such a requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the opening and closing of the fishery for the HLA limit established in area 542 for the vessel participating in the Amendment 80 cooperative. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of February 8, 2008.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C.

553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

Without this inseason adjustment, NMFS could not allow the Atka mackerel fishery in the HLA for area 542 to be harvested in an expedient manner and in accordance with the regulatory schedule. Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until February 28, 2008.

This action is required by § 679.20 and § 679.25 and is exempt from review under Executive Order 12866.

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

Dated: February 12, 2008.

Emily H. Menashes

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. 070711313–8014–02]

RIN 0648–AV62

Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish, Crab, Scallop, and Salmon Fisheries of the Bering Sea and Aleutian Islands Management Area

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

ACTION: Final rule.

SUMMARY: NMFS issues a final rule that implements Amendment 88 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area. This amendment revises the Aleutian Islands Habitat Conservation Area (AIHCA) boundary to allow nonpelagic trawling in an area historically fished and to prohibit nonpelagic trawling in an area of known coral and sponge occurrence. This action is necessary to ensure the AIHCA protects areas of coral and sponge habitat from the potential effects of nonpelagic trawling and allows nonpelagic trawling in areas historically fished and with unknown occurrence of corals and sponges.

DATES: Effective March 20, 2008.

ADDRESSES: Copies of the map of the AIHCA and the Environmental

Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis (EA/RIR/IRFA) and Final Regulatory Flexibility Analysis for this action may be obtained from NMFS Alaska Region, P. O. Box 21668, Juneau, AK 99802 or from the Alaska Region NMFS website at <http://www.fakr.noaa.gov>.

FOR FURTHER INFORMATION CONTACT: Melanie Brown, 907–586–7228 or email at melanie.brown@noaa.gov.

SUPPLEMENTARY INFORMATION: The groundfish fisheries in the Bering Sea and Aleutian Islands Management Area (BSAI) are managed under the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP). The North Pacific Fishery Management Council (Council) prepared the FMP under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Regulations implementing the FMP appear at 50 CFR parts 679 and 680. General regulations governing U.S. fisheries also appear at 50 CFR part 600. The groundfish fishery restrictions for the AIHCA described in the FMP are implemented by regulations at 50 CFR part 679.

Background

In 2006, NMFS implemented essential fish habitat (EFH) protection measures for the Aleutian Islands subarea and adjacent State of Alaska (State) waters (71 FR 36694, June 28, 2006, and corrected at 72 FR 63500, November 9, 2007). The background on the development of the EFH protection measures is available in the proposed rule for that action (71 FR 14470, March 22, 2006). The revisions to the AIHCA required amendments to the groundfish, crab, scallop, and salmon fishery management plans for the Alaska fisheries. These amendments (88, 23, 12, and 9, respectively) were described in the notice of availability published in the **Federal Register** (72 FR 63871, November 13, 2007), which provides the details of these amendments. Only Amendment 88 to the groundfish FMP requires regulatory changes, which are implemented by this final rule. The Secretary of Commerce approved all of the fishery management plan amendments for the AIHCA revisions on February 4, 2008.

The EFH protection measures prohibited nonpelagic trawling within the AIHCA. The AIHCA is the Aleutian Islands subarea and adjacent State waters except for specific sites that remain open to nonpelagic trawling. Locations open to nonpelagic trawling in the AIHCA include areas without

known occurrences of coral and sponge habitat and where nonpelagic trawling previously occurred. A map of the AIHCA is available from the NMFS Alaska Region website at <http://www.fakr.noaa.gov/habitat/efh/aihca.pdf>.

In March 2007, the Council recommended two revisions to the boundaries of the AIHCA. These revisions were developed in response to information provided by the nonpelagic trawl industry regarding correct fishing locations and additional information on coral and sponge occurrence in the Aleutian Islands. The two revisions change the AIHCA boundaries near Agattu Island and Buldir Island. A figure showing the revisions is in the proposed rule for this action (72 FR 65539, November 21, 2007) and in the EA/RIR/IRFA (see **ADDRESSES**). The final rule prohibits nonpelagic trawling in an area west of Buldir Island and permits nonpelagic trawling in an area north of Agattu Island.

The area near Agattu Island is opened to nonpelagic trawling because no known occurrence of coral or sponge habitat exists in this area, and nonpelagic trawling historically has occurred in this location. The area near Buldir Island is closed to nonpelagic trawling because NMFS surveys show corals and sponges occur in this area. Anecdotal information from the fishing industry also indicated that fishermen using nonpelagic trawl gear avoid the Buldir Island closure area to protect fishing gear from damage by bottom structures. Details of the fishing history and biological features of these sites are available in the EA/RIR/IRFA for this action (see **ADDRESSES**).

The final rule revises the coordinates for the boundaries of the AIHCA near Agattu Island and Buldir Island. Table 24 to 50 CFR part 679 contains coordinates for sites where nonpelagic trawling is permitted in the AIHCA. Table 24 is revised to specify the new coordinates near Agattu and Buldir Islands that are necessary to adjust the boundaries of the AIHCA. These new boundaries will allow for nonpelagic trawling near Agattu Island and prohibit nonpelagic trawling near Buldir Island. The final rule modifies the coordinates for the Buldir and Semichi areas listed on Table 24. The Semichi area includes the waters near Agattu Island opened to nonpelagic trawling. Because the final rule divides the Buldir Island open area into two areas to allow for the closure area, the final rule adds the West Buldir site to Table 24. The final rule also removes the site number for each site because the site number serves no additional purpose in the identification