

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

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

Radio broadcasting.

Federal Communications Commission.

**John A. Karousos,**

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

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BILLING CODE 6712-01-F

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 641

[I.D. 082395A]

#### Reef Fish Fishery of the Gulf of Mexico; Amendment 11

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

**ACTION:** Notice of availability of an amendment to a fishery management plan; request for comments.

**SUMMARY:** NMFS announces that the Gulf of Mexico Fishery Management Council (Council) has submitted Amendment 11 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP) for review, approval, and implementation by NMFS. Written comments are requested from the public.

**DATES:** Written comments must be received on or before October 24, 1995.

**ADDRESSES:** Comments must be mailed to the Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

Requests for copies of Amendment 11, which includes an environmental assessment, a regulatory impact review, and an initial regulatory flexibility analysis should be sent to the Gulf of Mexico Fishery Management Council,

5401 W. Kennedy Boulevard, Suite 331, Tampa, FL 33609-2486; fax: 813-225-7015.

**FOR FURTHER INFORMATION CONTACT:** Michael E. Justen or Robert Sadler, 813-570-5305.

**SUPPLEMENTARY INFORMATION:** The Magnuson Fishery Conservation and Management Act (Magnuson Act), requires that a council-prepared amendment to a fishery management plan be submitted to NMFS for review and approval, disapproval, or partial disapproval. The Magnuson Act also requires that NMFS, upon receiving an amendment, immediately publish a document that the amendment is available for public review and comment.

Amendment 11 proposes to: (1) Revise the annual framework procedure for modifying management measures; (2) specify in the framework procedure that the recovery period will be set by the Council, not its Stock Assessment Panel; (3) change the definition of optimum yield; (4) allow total allowable catch (TAC) to exceed the allowable biological catch (ABC) level specified for stocks assessed as not overfished; (5) increase the upper limit for framework adjustments of the red snapper recovery schedule from 1.5 to 2.0 times the biological generation time, or other period to be approved by the Council; (6) limit sale of reef fish by permitted vessels to permitted reef fish dealers; (7) require that permitted reef fish dealers purchase reef fish caught in the exclusive economic zone only from permitted vessels; (8) allow transfer of fish trap endorsements in the event of death or disability; (9) allow a one-time transfer of certain fish trap endorsements; (10) implement a new reef fish permit moratorium for no more than 5 years or until December 31, 2000, while the Council considers limited access for the reef fish fishery; (11) allow permit transfers to other persons with vessels by vessel owners who qualified for their reef fish permit; and (12) require charter vessel and headboat permits.

The Director, Southeast Region, NMFS, based on a preliminary evaluation of Amendment 11, has disapproved three amendment measures, because these measures were determined to be inconsistent with the Magnuson Act. The disapproved measures included the following sections of Amendment 11: (1) Section 8.3, Optimum Yield Definition; (2) section 8.5, Use of ABC Range for Specification of TAC, setting TAC above ABC for non overfished resources; and

(3) section 8.7, Respecify the Generation Time Multiplier for Recovery Periods.

Proposed regulations to implement those measures of Amendment 11 that were not disapproved based on the preliminary evaluation are scheduled for publication within 15 days.

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

Dated: August 25, 1995.

**Richard H. Schaefer,**

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

[FR Doc. 95-21576 Filed 8-25-95; 3:49 pm]

BILLING CODE 3510-22-F

#### 50 CFR Part 675

[I.D. 082395C]

### Groundfish of the Bering Sea and Aleutian Island Area

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

**ACTION:** Notice of availability of an amendment to a fishery management plan and request for comments.

**SUMMARY:** The North Pacific Fishery Management Council (Council) has submitted Amendment 21b to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) for Secretarial review and is requesting comments from the public. Copies of the amendment may be obtained from the Council (see **ADDRESSES**).

**DATES:** Comments on the FMP amendment should be submitted on or before October 24, 1995.

**ADDRESSES:** Comments on the FMP amendment should be submitted to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802 Attn: Lori Gravel, or delivered to the Federal Building, 709 West 9th Street, Juneau, AK. Copies of Amendment 21b and the environmental assessment/regulatory impact review/initial regulatory flexibility analysis prepared for the amendment are available from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510.

**FOR FURTHER INFORMATION CONTACT:** Sally Bibb, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** The Magnuson Fishery Conservation and Management Act (Magnuson Act) requires that each Regional Fishery Management Council submit any fishery management plan or plan amendment it

prepares to the Secretary of Commerce (Secretary) for review and approval, disapproval, or partial disapproval. The Magnuson Act also requires that the Secretary, upon receiving a fishery management plan or amendment, immediately publish a notice that the fishery management plan or amendment is available for public review and comment. The Secretary will consider the public comments received during the comment period in determining whether to approve the FMP or amendment.

If approved, Amendment 21b would establish the Chinook Salmon Savings Areas (CHSSA). The CHSSA would be closed to fishing with trawl gear upon attainment of an annual incidental catch of 48,000 chinook salmon and remain closed through April 15. These management measures are intended to limit chinook salmon bycatch in the Bering Sea and Aleutian Islands management area trawl fisheries.

Dated: August 25, 1995.

**Richard H. Schaefer,**

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

[FR Doc. 95-21568 Filed 8-25-95; 3:39 pm]

BILLING CODE 3510-22-P

## 50 CFR Part 677

[Docket No. 950815208-5208-01; I.D. 080295B]

RIN 0648-AE78

### Groundfish of the Gulf of Alaska; Groundfish of the Bering Sea and Aleutian Islands; North Pacific Fisheries Research Plan; Electronic Transmission of Observer Data

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes regulations that would require all catcher/processor or mothership processor vessels that process groundfish and that are subject to observer coverage requirements to have satellite communication equipment and the necessary hardware and software for electronic transmission of observer data. The proposed regulations would also require all shoreside processors that are subject to observer coverage and that process groundfish to have the necessary computer hardware and software to send data electronically via a modem. This equipment is intended for use by

observers. Electronic submission of observer data is necessary to reduce both the time and expense of collecting fishery information by providing real-time data and improving the overall efficiency of fisheries management.

**DATES:** Comments must be received at the following address by September 29, 1995.

**ADDRESSES:** Comments must be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori Gravel. Individual copies of the environmental assessment/regulatory impact review (EA/RIR) prepared for this action may be obtained from the same address.

**FOR FURTHER INFORMATION CONTACT:** Kaja Brix, 907-586-7228.

#### SUPPLEMENTARY INFORMATION:

The domestic groundfish fisheries in the exclusive economic zone of the Gulf of Alaska and the Bering Sea and Aleutian Islands (BSAI) management area are managed by NMFS in accordance with the Fishery Management Plan for Groundfish of the Gulf of Alaska and the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands (FMPs). The FMPs were prepared by the North Pacific Fishery Management Council (Council) under the Magnuson Fishery Conservation and Management Act. The FMPs are implemented by regulations that appear at 50 CFR parts 672, 675, and 676. General regulations that also govern the groundfish fisheries appear at 50 CFR part 620. Regulations governing the groundfish observer program appear at 50 CFR part 677.

Timely communication between the fishing industry and NMFS is a critical element of successful fisheries management. Industry submits various reports to NMFS through the fisheries management. Observers also submit reports of catch to the NMFS Observer Program. These reports are crucial to effective inseason management of the groundfish quotas and bycatch allowances. At present, most industry and many observer reports are submitted by fax. Faxed reports often must be resubmitted to obtain a readable report. Catch data from these reports must then be verified and entered into an inseason management database. As a result, transmission and processing of faxed reports is costly, time-consuming, and can be inefficient for both NMFS and the industry. Because of the method by which reports are currently submitted and the burden of data entry, information available for management is often not current with the real-time

status of the fishery. Electronic communication of reports would greatly improve management efficiency and reduce the costs associated with report submission and processing. Implementation of requirements for hardware and software that would support electronic transmission of inseason data in a more timely and efficient way would benefit both NMFS and the industry.

At its June 1995 meeting, the Council recommended that NMFS issue regulations that would require all processor vessels that process groundfish to have on board either an INMARSAT Standard A, B, or C unit, as well as the computer hardware and software that would enable observer reports to be sent electronically. Shoreside processors would be required to have certain computer hardware and software for the observers to submit data electronically, using a computer modem. The management measure recommended by the Council is detailed below.

Catch and bycatch data collected by observers are used for inseason management of groundfish total allowable catch amounts and prohibited species catch limits. This information is provided on a weekly or daily basis by the observers. Data received from observers are typically verified and entered into electronic data files. The delays and expense of the current methods used to finalize observer data create a burden on the resources of the NMFS Observer Program Office. Data transmission is also costly to processors (e.g., approximately \$144/week).

Entering of observer data is an expensive and time-consuming process. Delays in processing inseason data detract from the ability of NMFS to keep pace with the real-time activities of the fisheries fleet. This results in less efficient management.

NMFS has had success with the use of electronic data transmission from some vessels at sea that use shipboard-based computers, communications software, and communications satellites. The time required by the Observer Program Office to verify observer data is greatly reduced and the time required to enter data into an inseason database is essentially eliminated. As a result, information is transmitted to inseason managers in a more timely manner. Industry benefits through reduced transmission costs and overall increased efficiency of fisheries management.

Under this proposed regulation each processor vessel that is subject to observer coverage under regulations at § 677.10, and that processes groundfish