

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Issued: February 11, 1997.

Richard W. Krimm,

*Executive Associate Director, Mitigation Directorate.*

[FR Doc. 97-4459 Filed 2-21-97; 8:45 am]

BILLING CODE 6718-05-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 96-177; RM-8853]

#### Radio Broadcasting Services; Galena and Baxter Springs, KS

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Acorn Broadcasting Company, allots Channel 282A to Galena, Kansas. See 61 FR 47471, September 9, 1996. Channel 282A can be allotted to Galena in compliance with the Commission's distance separation requirements with a site restriction of 6.5 kilometers (4.0 miles) west to avoid short-spacing conflicts with Stations KBEQ(FM), Channel 282C, Kansas City, Missouri; KBCN(FM), Channel 282C, Marshall, Arkansas; and KQMO(FM), Channel 281C3, Ash Grove, Missouri. The coordinates for Channel 282A at Galena are 37-03-24 and 94-42-11. With this action, this proceeding is terminated.

**DATES:** Effective March 31, 1997. The window period for filing applications will open on March 31, 1997, and close on May 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 96-177, adopted February 7, 1997, and released February 14, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc., (202) 857-3800, 2100 M Street, NW, Suite 140, Washington, DC 20037.

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: 47 U.S.C. 154, 303, and 307.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Kansas, is amended by adding Galena, Channel 282A.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 97-4394 Filed 2-21-97; 8:45 am]

BILLING CODE 6712-01-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Chapter VI

[Docket No. 970130016-7016-01; I.D. 012797F]

RIN 0648-XX80

#### Magnuson-Stevens Fishery Conservation and Management Act; Public Comments on Fishery Management Plans and Regulations

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

**ACTION:** Policy statement.

**SUMMARY:** NMFS notifies the public of how public comments on Fishery Management Plans (FMPs), FMP amendments, and their implementing regulations will be handled under the procedures of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), as amended by the Sustainable Fisheries Act (SFA). The intent is to ensure that the public has full opportunity for input to the fishery management decision process.

**FOR FURTHER INFORMATION CONTACT:** George H. Darcy, 301-713-2341.

**SUPPLEMENTARY INFORMATION:** On October 11, 1996, the President signed into law the SFA (Public Law 104-297), which made numerous amendments to the Magnuson-Stevens Act (16 U.S.C. 1801 *et seq.*). The amendments significantly changed the process and schedules under which FMPs, FMP amendments, and most regulations are reviewed and implemented. Because of

those changes, NMFS has had to revise its procedures for handling public comments on FMPs, FMP amendments, and their implementing regulations.

Specifically, the SFA decoupled the schedule for approval/disapproval of FMPs and FMP amendments submitted by Regional Fishery Management Councils (Councils) from the schedule for publication of proposed and final rules to implement them. Because both the notice of availability (NOA) of an FMP/amendment and the proposed rule request public comments, the timing of the receipt of those comments relative to the timing of decisions regarding the FMP/amendment and associated rules has been complicated. To address these issues and to inform the public of how and when public comments will be considered, NMFS will follow the procedures outlined below.

#### FMPs and FMP Amendments

An NOA will be published in the Federal Register as soon as possible after transmittal of an FMP/amendment from a Council, as required by sec. 304(a) of the Magnuson-Stevens Act. The NOA will request comments on the FMP/amendment and will alert the public that (1) public comments are being solicited on the FMP/amendment through the end of the 60-day comment period stated in the NOA; (2) a proposed rule that would implement the FMP/amendment may be published in the Federal Register for public comment, following NMFS' evaluation of the proposed rule under the Magnuson-Stevens Act procedures; and (3) public comments on the proposed rule must be received by the end of the comment period on the FMP/amendment to be considered in the approval/disapproval decision on the FMP/amendment. All comments received by the end of the comment period on the FMP/amendment, whether specifically directed to the FMP/amendment or the proposed rule, will be considered in the approval/disapproval decision; comments received after that date will not be considered in the approval/disapproval decision on the FMP/amendment. To be considered, comments must be received by close of business on the last day of the comment period established by the NOA.

#### Proposed Rules

If NMFS' evaluation of the proposed rule under procedures specified in sec. 304(b) of the Magnuson-Stevens Act determines that it is consistent with the FMP, FMP amendment, the Magnuson-Stevens Act, and other applicable laws, NMFS will publish the proposed rule with a request for public comment; the

comment period will normally be 45 days. The preamble of the proposed rule will inform the public that (1) public comments are being solicited on the FMP/amendment through the end of the comment period stated in the NOA; and (2) public comments on the proposed rule must be received by the end of the comment period on the FMP/amendment, as published in the NOA, to be considered in the approval/disapproval decision on the FMP/amendment. To be considered, comments must be received by close of business on the last day of the comment period.

#### Responses to Comments

All comments received during the public comment periods will be responded to in the final rule. The preamble of the final rule will contain a summary of the comments received, both on the FMP/amendment and on the proposed rule, and responses to those comments.

NMFS expects that the comment periods for the FMP/amendment (as published in the NOA) and the proposed rule will generally end on or about the same date, and NMFS will attempt to achieve that result. However, because there is the possibility that the comment period ending dates could be significantly different, it is important for commenters to focus their comments on either the FMP/amendment or on the proposed rule, if possible, and to be aware of the decisional timing issues that have resulted from the Magnuson-Stevens Act amendments. By publishing this policy statement, and through language to be included in NOAs and preambles to proposed rules, NMFS is attempting to ensure that the public has full opportunity for input to the decision process.

#### Classification

This rule has been determined to be not significant for purposes of Executive Order 12866.

Pursuant to authority at 5 U.S.C. 553(b)(A), prior notice and an opportunity for public comment are not required to be provided for this rule, as this is a rule of procedure. Further, because prior notice and an opportunity for public comment are not required under 5 U.S.C. 553, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are not applicable. Finally, because this rule is not substantive it is not subject to the 30-day delay in effective date required of substantive rules under 5 U.S.C. 553(d).

Dated: February 14, 1997.

Nancy Foster,

*Deputy Assistant Administrator for Fisheries,  
National Marine Fisheries Service.*

[FR Doc. 97-4457 Filed 2-21-97; 8:45 am]

BILLING CODE 3510-22-F

#### 50 CFR Part 679

[Docket No. 961126334-7025-02; I.D. 111296A]

RIN 0648-XX74

#### **Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 1997 Harvest Specifications for Groundfish**

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

**ACTION:** Final 1997 harvest specifications for groundfish and associated management measures; closures.

**SUMMARY:** NMFS announces final 1997 harvest specifications for Gulf of Alaska (GOA) groundfish and associated management measures. This action is necessary to establish harvest limits and associated management measures for groundfish during the 1997 fishing year. NMFS is also closing fisheries as specified in the final 1997 groundfish specifications. These measures are intended to carry out management objectives contained in the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP).

**EFFECTIVE DATES:** The final 1997 harvest specifications are effective at noon on February 19, 1997 through 2400 hrs, Alaska local time (A.l.t.), December 31, 1997, or until changed by subsequent notification in the Federal Register. The closures to directed fishing are effective February 19, 1997 through 2400 hrs, A.l.t., December 31, 1997, or until changed by subsequent notification in the Federal Register.

**ADDRESSES:** Copies of the Environmental Assessment (EA) for 1997 Groundfish Total Allowable Catch Specifications, dated January 1997, may be obtained from NMFS, Fisheries Management Division, P.O. Box 21668, Juneau, AK 99802-1668, Attn: Lori Gravel, or by calling 907-586-7228. The Final Stock Assessment and Fishery Evaluation Report (SAFE report), dated November 1996, is available from the North Pacific Fishery Management Council, 605 West 4th Avenue, Suite 306, Anchorage, AK 99501-2252, or by calling 907-271-2809.

**FOR FURTHER INFORMATION CONTACT:**  
Thomas Pearson 907-486-6919.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Groundfish fisheries in the exclusive economic zone of the GOA are managed by NMFS according to the FMP. The FMP was prepared by the North Pacific Fishery Management Council (Council) under the authority of the Magnuson-Stevens Fishery Conservation and Management Act. The FMP is implemented by regulations at 50 CFR part 679.

NMFS announces for the 1997 fishing year: (1) Specifications of total allowable catch (TAC) amounts for each groundfish species category in the GOA, and reserves; (2) apportionments of reserves; (3) allocations of the sablefish TAC to vessels using hook-and-line and trawl gear; (4) apportionments of pollock TAC among regulatory areas, seasons, and allocations for processing between inshore and offshore components; (5) allocations for processing of Pacific cod TAC between inshore and offshore components; (6) "other species" TAC; (7) closures to directed fishing; (8) Pacific halibut prohibited species catch (PSC) limits; and (9) fishery and seasonal apportionments of the Pacific halibut PSC limits. A discussion of each of these measures follows.

The process of determining TACs for groundfish species in the GOA is established in regulations implementing the FMP. Pursuant to § 679.20(a)(2), the sum of the TACs for all species must fall within the combined optimum yield (OY) range of 116,000-800,000 metric tons (mt) established for these species in § 679.20(a)(1)(ii).

The Council met from September 18 through 22, 1996, and developed recommendations for proposed 1997 TAC specifications for each species category of groundfish on the basis of the best available scientific information. The Council also recommended other management measures pertaining to the 1997 fishing year. Under § 679.20(c)(1)(ii), the proposed GOA groundfish specifications and specifications for prohibited species bycatch allowances for the groundfish fishery of the GOA were published in the Federal Register on December 4, 1996 (61 FR 64310). Comments were invited through December 30, 1996. Two letters were received that expressed a comment on the environmental assessment prepared for the 1997 GOA specifications. The comment is summarized and responded to below in the Response to Comments