

This action apportions reserves to DAP fisheries on a date other than those specified in § 672.20(d)(1)(ii). Under 5 U.S.C. 553(b)(B), the Assistant Administrator for Fisheries, NOAA (Assistant Administrator), for the reasons set forth below, finds good cause to waive prior notice and opportunity for public comment provided by the regulations. This waiver is necessary to allow the harvest of TAC and prevent unnecessary closure of the fishery. Closure of the fishery would be contrary to the public interest. In accordance with § 672.20(d)(5)(iv), comments are invited on the reserve apportionments as noted in "DATES" above.

This action adopts final 1995 harvest specifications for the GOA, revises associated management measures, and closes specified fisheries. Generally, this action does not significantly revise management measures in a manner that would require time to plan or prepare for those revisions. In some cases, such as closures, action must be taken immediately to conserve fishery resources. Without these closures, specified TAC amounts will be overharvested and retention of these species will become prohibited, which would disadvantage fishermen who could no longer retain bycatch amounts of these species. The immediate effectiveness of this action is required to provide consistent management and conservation of fishery resources. Accordingly, the Assistant Administrator finds there is good cause to waive the 30-day delayed effectiveness period under 5 U.S.C. 553(d)(3) with respect to such provisions and to the apportionment discussed above. In some cases, the interim specifications in effect would be insufficient to allow directed fisheries to operate during a 30-day delayed effectiveness period, which would result in unnecessary closures and disruption within the fishing industry; in many of these cases, the final specifications will allow the fisheries to continue, thus relieving a restriction. Provisions of a rule relieving a restriction under 5 U.S.C. 553(d)(1) are not subject to a delay in effective date.

NMFS has determined that the GOA groundfish fisheries are not likely to affect Steller sea lions in a way or to an extent not already considered in previous Section 7 consultations on this fishery. NMFS has determined that reinitiation of formal consultation under this ESA is not required.

NMFS prepared an environmental assessment (EA) on the 1995 TAC specifications. The Assistant Administrator concluded that no

significant impact on the environment will result from their implementation. A copy of the EA is available (see addresses).

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

Dated: February 7, 1995.

Richard H. Schaefer,

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

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50 CFR Part 672

[Docket No. 950206041-5041-01; I.D. 020695D]

Groundfish of the Gulf of Alaska; Daily Reporting Requirements

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

ACTION: Notice of change in recordkeeping and reporting requirements.

SUMMARY: NMFS has determined that Daily Production Reports (DPRs) must be submitted by offshore component processor vessels that catch and/or receive Pacific cod in Statistical Areas 61, 62, and 63 in the Gulf of Alaska (GOA). This action is necessary to prevent exceeding that portion of the total allowable catch (TAC) of Pacific cod allocated to vessels catching Pacific cod for processing by the offshore component in those areas. This action will enable NMFS to effectively monitor the Pacific cod catch and take inseason action to close the fishery prior to its exceeding the TAC.

EFFECTIVE DATE: From noon, Alaska local time (A.l.t.), February 8, 1995, through the duration of the 1995 directed offshore Pacific cod fishery in these areas or until the Director, Alaska Region, NMFS (Regional Director) determines the supplementary reporting requirements are no longer necessary. This determination will be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, 907-586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council

under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 672.

Pursuant to § 672.5(c)(3)(i) the Regional Director is requiring offshore component processor vessels, as defined at § 672.2, that catch and/or receive Pacific cod in Statistical Areas 61, 62, and 63 in the GOA to submit DPRs in addition to weekly processor reports. DPRs must include the information required by § 675.2(c)(3)(ii).

These requirements are necessary to manage the offshore component Pacific cod fisheries in those areas. The Regional Director is doing so in consideration of the potential for exceeding that portion of the total allowable catch (TAC) of Pacific cod allocated to vessels catching Pacific cod for processing by the offshore component in those areas.

The allocation of the TACs for Pacific cod to vessels catching Pacific cod for processing by the offshore component under § 672.20(a)(2)(v)(B) will become available for directed fishing by offshore component vessels with the filing of the final specifications of groundfish for the GOA and are expected to be rapidly harvested.

DPRs must include all information required by § 672.5(c)(3)(ii) 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 1995 Federal fisheries permit. The form also may be obtained from the Regional Director by calling Mary Furuness at 907-586-7228. Processors must transmit their completed DPRs to the Regional Director by facsimile transmission to number 907-586-7131, telex (U.S. code) plus 62296000, or by telephone via number 907-586-7228, no later than 12 hours after the end of the day the groundfish was processed.

If and when the Regional Director determines that these reports are no longer necessary, he may rescind the requirement. Criteria used to assess the need for the reports include the stability of effort and harvest rates in the fishery, and remaining amounts.

The Assistant Administrator for Fisheries, NOAA, finds that reasons justifying implementation of this action also make it impracticable and contrary to the public interest to provide notice and opportunity for prior comment or to delay for 30 days its effective date. Intense fishing effort without DPRs