

writing that the material may be discarded.

(12) *Must-carry requests.*

Noncommercial television stations requesting mandatory carriage on any cable system pursuant to § 76.56 of this chapter shall place a copy of such request in its public file and shall retain both the request and relevant correspondence for the duration of any period to which the request applies.

**Note (1) to paragraph (e):** For purposes of this section, a decision made with respect to an application tendered with the FCC becomes final when that decision is no longer subject to reconsideration, review, or appeal either at the FCC or in the courts.

**Note (2) to paragraph (e):** For purposes of this section, the term "all related material" includes all exhibits, letters, and other documents tendered for filing with the FCC as part of an application, report, or other document, all amendments to the application, report, or other document, copies of all documents incorporated therein by reference and not already maintained in the public inspection file, and all correspondence between the FCC and the applicant pertaining to the application, report, or other document, which according to the provisions of §§ 0.451 through 0.461 of the rules are open for public inspection at the offices of the FCC.

§ 73.1202 [Removed]

5. Section 73.1202 is removed.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[I.D. 082798A]

Fisheries of the Exclusive Economic Zone Off Alaska; Community Development Quota Program

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

**ACTION:** Partial approval of the Community Development Plans for Multispecies Groundfish and Prohibited Species for the years 1998 through 2000.

**SUMMARY:** NMFS announces the partial approval of recommendations made by the State of Alaska (State) for the 1998 through 2000 multispecies groundfish and prohibited species Community Development Plans (CDPs) under the Western Alaska Community Development Quota (CDQ) Program. This action announces the decision by

NMFS to approve the State's recommended CDPs, including the percentage allocations of the multispecies groundfish CDQ reserves and prohibited species quota (PSQ) reserves to each CDP, with the exception of certain vessels listed in the CDPs that NMFS determined are ineligible for approval at this time. This action also announces the availability of findings underlying NMFS's decision. This action is intended to further the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act.

**DATES:** Partial approval of the CDPs is effective October 16, 1998.

**ADDRESSES:** Copies of the findings made by NMFS in partially approving the State's recommendations may be obtained from the Alaska Region, National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802, Attn: Lori Gravel.

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

**SUPPLEMENTARY INFORMATION:**

**Background**

The Multispecies CDQ Program was developed by the North Pacific Fishery Management Council (Council) as Amendment 41 to the Fisheries Management Plan for the Bering Sea/Aleutian Islands Groundfish. Amendment 41 was approved by NMFS on September 12, 1997, and implemented under regulations at subpart C of 50 CFR part 679. Regulations establishing the groundfish CDQ reserves and PSQ reserves were published in the **Federal Register** on February 19, 1998 (63 FR 8356), and a final rule implementing the administrative and catch monitoring requirements for the multispecies (MS) CDQ Program was published in the **Federal Register** on June 4, 1998 (63 FR 30381).

Eligible western Alaska communities submitted six proposed CDPs to the State under § 679.30. The CDPs include requests for allocations of the available multispecies groundfish CDQ reserves and PSQ reserves established at § 679.31. The State conducted a public hearing on September 9, 1997, in Anchorage, Alaska, during which all interested persons had an opportunity to be heard. The hearing covered the substance and content of the proposed CDPs in such a manner that the general public, and particularly the affected parties, had a reasonable opportunity to understand the impact of each proposed CDP. The State made available for public review all State of Alaska materials pertinent to the hearing at the

time the hearing was announced. The public hearing held by the State satisfied the requirements of § 679.30(b).

The State consulted the Council concerning the proposed CDPs during the Council's September 1997 and April 1998 meetings. The Council reviewed copies of the CDP executive summaries, summary sheets, and the State's recommended allocations and concurred in the State's recommendations.

The State sent its recommendations for approval of the proposed CDPs to NMFS on July 6, 1998. The State's allocation recommendations are effective for 1998 through 2000 for all species groups allocated to the groundfish CDQ reserves and PSQ reserves, except arrowtooth flounder, squid, "other species", chinook salmon, and non-chinook salmon. Allocation recommendations for these five species groups are effective for 1998 only. Delaying the 1999 and 2000 allocation recommendations for these five species groups will allow the State to provide for bycatch needs for (1) the fixed gear sablefish CDQ fishery when it is integrated into the multispecies groundfish CDQ fisheries in 1999, and (2) the pollock CDQ fishery if Amendment 45 and its implementing regulations are approved by NMFS.

New regulations governing the MS CDQ fisheries promulgated by NMFS on June 4, 1998, require that a fishing plan for each vessel and processor proposed as eligible to participate in the MS groundfish CDQ be submitted in the CDP. NMFS has reviewed fishing plans for 39 catcher vessels, 24 catcher/processors, and five shoreside processing plants and determined that 38 catcher vessels, 13 catcher/processors, and five shoreside processing plants can be approved at this time as eligible for the MS CDQ fisheries. The remaining catcher vessel and 11 catcher/processors do not meet the requirements for eligibility because incomplete or incorrect information was provided in the proposed CDP. NMFS has notified the CDQ groups of the deficiencies in the fishing plans for these vessels and the specific information that must be provided before these vessels will be approved. Vessels not approved as eligible vessels with the CDP may be added later through an amendment to the CDP.

With the exception of the vessels mentioned above, NMFS has determined that the State's recommendations for approval of proposed CDPs are consistent with the community eligibility conditions and evaluation criteria and other applicable provisions of the Federal regulations

governing the CDQ Program. The allocations to each CDQ group are presented in the table below. NMFS's

findings regarding this decision also are available (see ADDRESSES). CDQ fishing for multispecies groundfish is

authorized under § 679.23 at 1200 hours, Alaska local time, October 1, 1998.

STATE OF ALASKA MULTISPECIES GROUND FISH AND PROHIBITED SPECIES COMMUNITY DEVELOPMENT QUOTA ALLOCATIONS

Species or species group	APICDA percent	BBEDC percent	CBSFA percent	CVRF percent	NSEDC percent	YDFDA percent
<b>Allocations for 1998–2000</b>						
Groundfish:						
BS Sablefish .....	16	20	10	17	18	19
AI Sablefish .....	16	20	10	17	18	19
Pacific Cod .....	16	20	10	17	18	19
WAI Atka Mackerel .....	20	17	10	17	16	20
CAI Atka Mackerel .....	20	17	10	17	16	20
EAI/BS Atka Mackerel .....	20	17	10	17	16	20
Yellowfin Sole .....	29	25	8	5	5	28
Rock Sole .....	10	20	10	20	20	20
BS Greenland Turbot .....	16	25	14	1	20	24
AI Greenland Turbot .....	18	18	5	14	26	19
Flathead Sole .....	20	20	10	15	15	20
Other Flatfish .....	20	20	10	15	15	20
BS Pacific Ocean Perch .....	20	17	10	17	16	20
WAI Pacific Ocean Perch .....	20	17	10	17	16	20
CAI Pacific Ocean Perch .....	20	17	10	17	16	20
EAI Pacific Ocean Perch .....	20	17	10	17	16	20
BS Other Red Rockfish .....	20	17	10	17	16	20
AI Sharpchin/Northern .....	20	17	10	17	16	20
AI Shortraker/Rougheye .....	17	20	9	17	18	19
BS Other Rockfish .....	16	20	8	18	19	19
BS Other Rockfish .....	16	20	8	18	19	19
Prohibited Species:						
Zone 1 Red King Crab .....	19	21	9	15	15	21
Zone 1 Bairdi Tanner Crab .....	24	25	7	9	9	26
Zone 2 Bairdi Tanner Crab .....	24	25	7	9	9	26
Opilio Tanner Crab .....	26	23	9	8	8	26
Pacific Halibut .....	20	22	8	13	14	23
<b>Allocations for 1998 only</b>						
Arrowtooth Flounder .....	19	21	9	15	15	21
Squid .....	19	18	10	17	16	20
Other Species .....	19	22	9	14	14	22
Chinook Salmon .....	21	21	9	13	13	23
Non-chinook Salmon .....	23	23	8	11	11	24

Note:  
 APICDA—Aleutian Pribilof Island Community Development Association.  
 BBEDC—Bristol Bay Economic Development Corporation.  
 CBSFA—Central Bering Sea Fishermen’s Association.  
 NSEDC—Norton Sound Economic Development Corporation.  
 YDFDA—Yukon Delta Fisheries Development Association.  
 BS—Bering Sea.  
 AI—Aleutian Islands.  
 WAI—Western Aleutian Islands.  
 CAI—Central Aleutian Islands.  
 EAI—Eastern Aleutian Islands.

Dated: September 9, 1998.

**Gary C. Matlock,**  
 Director, Office of Sustainable Fisheries,  
 National Marine Fisheries Service.  
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