

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 96-161, adopted August 13, 1997 and released August 25, 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 contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Additionally, Channel 264C3 can be allotted to Irvine with a site restriction of 7.7 kilometers (4.8 miles) west to avoid short-spacings to the licensed sites of Station WWYC(FM), Channel 261C2, Winchester, Kentucky, and Station WSGS(FM) Channel 266C, Hazard, Kentucky. The coordinates for Channel 264C3 at Irvine are North Latitude 37-43-27 and West Longitude 84-02-38. Channel 291C3 can be allotted to Morehead with a site restriction of 3.6 kilometers (2.3 miles) west to avoid a short-spacing to the licensed site of Station WMST-FM, Channel 288A, Mount Sterling, Kentucky. The coordinates for Channel 291C3 at Morehead are North Latitude 38-11-17 and West Longitude 83-28-37. With this action, this proceeding is terminated.

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: Sections 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Kentucky, is amended by adding Channel 221C3 and removing Channel 264A at Carlisle; adding Channel 264C3 and removing Channel 291A at Irvine; and adding Channel 291C3 and removing Channel 221A at Morehead.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 97-22996 Filed 8-28-97; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 285**

[I.D. 082597B]

Atlantic Tuna Fisheries; Atlantic Bluefin Tuna

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

ACTION: Catch limit adjustment.

SUMMARY: NMFS adjusts the daily catch limit for the Angling category fishery for Atlantic bluefin tuna (ABT) in the northern area (New Jersey and states north) to two fish per vessel from the school size class and three fish per vessel from the large school or small medium size class. The duration of the catch limit adjustment is limited to the period of August 29 through September 12, 1997, whereupon the northern area catch limit will revert to one ABT per vessel per day. This action is being taken to ensure reasonable fishing opportunities in the northern area without risking overharvest of this category.

EFFECTIVE DATE: The daily catch limit adjustment is effective 1:00 a.m., local time, August 29, 1997, until 11:30 p.m., local time, September 12, 1997.

FOR FURTHER INFORMATION CONTACT: Chris Rogers, 301-713-2347, or Mark Murray-Brown, 508-281-9260.

SUPPLEMENTARY INFORMATION: Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of ABT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285.

Implementing regulations for the Atlantic tuna fisheries at § 285.24 allow for adjustments to the daily catch limits in order to provide for maximum utilization of the quota spread over the longest possible period of time. The Assistant Administrator for Fisheries, NOAA, may increase or reduce the per angler catch limit for any size class bluefin tuna or may change the per angler limit to a per boat limit or a per boat limit to a per angler limit.

NMFS closed the winter Angling category fishery on March 2, 1997 to ensure that sufficient quota would remain for the summer ABT fisheries. On June 13, 1997, NMFS reopened the Angling category fishery but maintained the daily catch limit at one ABT per vessel to ensure that the southern area

quota would not be exceeded. Effective July 11, 1997, NMFS adjusted the daily catch limit for all areas to four school bluefin tuna and one large school or small medium ABT each day per Angling category vessel. The daily catch limit was again reduced to one ABT per vessel on August 8 to preserve the remaining quota for the traditional fall fisheries.

Information collected by NMFS through dockside and telephone surveys indicates that about 20 metric tons (mt) of school ABT and 60 mt of large school/small medium ABT remain of the northern area subquota. In order to provide for a reasonable opportunity to harvest the Angling category quota and collect scientific information needed to monitor the ABT stock, NMFS has determined that a catch limit adjustment is warranted.

The daily catch limit is adjusted as follows: No more than two school bluefin tuna (measuring 27 to 47 inches) may be retained each day per Angling category vessel. In addition, three ABT per vessel may be landed from the large school or small medium size class (measuring 47 to 73 inches). This catch limit adjustment is effective through September 12, 1997, whereupon the daily limit will revert to one ABT per day, which may be from the school, large school or small medium size class.

Depending on the level of fishing effort and catch rates of ABT, NMFS may determine that an interim closure or additional catch limit adjustment is necessary during or following this period. Closures or subsequent adjustments to the daily catch limit, if any, shall be announced through publication in the **Federal Register**. In addition, anglers may call the Highly Migratory Species Information Line at 301-713-1279 or 508-281-9305 for updates on quota monitoring and catch limit adjustments. Anglers aboard Charter/Headboat and General category vessels, when authorized to engage in recreational fishing for school, large school, and small medium ABT, are subject to the same rules as anglers aboard Angling category vessels.

Note that the fishery for school, large school, and small medium ABT in the southern area closed effective August 11, 1997 (62 FR 44423, August 21, 1997), and is therefore not affected by this catch limit adjustment.

Classification

This action is taken under 50 CFR 285.24(d)(3) and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 971 *et seq.*

Dated: August 26, 1997.

Gary Matlock,

*Director, Office of Sustainable Fisheries,
National Marine Fisheries Service.*

[FR Doc. 97-23117 Filed 8-26-97; 2:48 pm]

BILLING CODE 3510-22-F