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C. Initial Paperwork Reduction Act of 1995 Analysis

8. This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4). Federal Communications Commission.

Lisa Fowlkes,

Chief, Public Safety and Homeland Security Bureau.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 171030999-8375-01]

RIN 0648-BH34

Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Shorebased Individual Fishing Quota Program

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

ACTION: Advanced notice of proposed rulemaking; request for comments.

SUMMARY: This notice provides information on a request by the Pacific Fishery Management Council (Council) to establish a control date of September

15, 2017, for the Pacific Coast groundfish fishery. The Council may use the control date to limit the extent, location, or ability to use non-trawl gear types to harvest individual fishing quota (IFQ) (termed ‘gear switching’) in the Pacific Coast groundfish fishery. The Council may or may not provide credit for any gear switching related activities after the control date in any decision setting limits on gear switching. The control date would account for Pacific Coast groundfish fishery participants with historic investment to engage in gear switching should the Council set limits to future participants eligible to gear switch.

DATES: Written comments must be received by May 29, 2018.

ADDRESSES: You may submit comments on the proposed rule identified by “NOAA-NMFS-2018-0015” by either of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov/ #!docketDetail;D=NOAA-NMFS-2018-0015, click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Frank Lockhart, NMFS West Coast Regional Office, 7600 Sand Point Way NE, Seattle, WA 98115.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personal identifying information (*e.g.*, name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

FOR FURTHER INFORMATION CONTACT: Colin Sayre, NMFS West Coast Regional Office, telephone: 206-526-4656, or email: colin.sayre@noaa.gov.

SUPPLEMENTARY INFORMATION: The National Marine Fisheries Service (NMFS) implemented the West Coast Groundfish Trawl Catch Share Program on January 11, 2011. The Catch Share Program changed harvest management in the trawl fishery from a trip limit system, with cumulative vessel trip limits, to a quota system where vessels can harvest quota shares at any time during an open season. The Catch Share Program offers industry increased

flexibility in exchange for additional monitoring and data collection requirements.

The Magnuson-Stevens Fishery Conservation and Management Act requires that fishery management councils review catch share programs within five years after implementation. The Council’s first five-year Catch Share Program review concluded in November 2017. As part of response to this review, the Council is considering changing the gear switching provision in the shorebased trawl IFQ component of the Catch Share Program.

The Council originally included gear switching in the Catch Share Program to provide flexibility to trawl harvesters. Gear switching allows vessels to use any legal non-trawl gear type to prosecute the shorebased trawl IFQ fishery. About two-thirds of shorebased IFQ vessels that have taken advantage of the gear switching provision used fixed gear (pots and longlines) prior to Catch Share Program implementation in 2011, and typically used these gears to target sablefish. The remaining vessels operating under the gear switching provision had not fished in the shorebased IFQ trawl fishery prior to Catch Share Program implementation, and purchased or leased trawl permits and sablefish quota to fish with fixed gear after 2011. The Catch Share Program five-year review identified gear switching as a concern for many participants of the shorebased IFQ trawl fishery. Trawl vessels expressed concern that fixed gear vessels targeting sablefish in the shorebased IFQ fishery both depleted sablefish quota and constrained the trawl fishery before vessels were able to attain quotas for other target species that co-occur with sablefish.

At its September 2017 meeting, the Council developed alternatives to limit the amount of quota available to vessels that are gear switching, and the number of participants eligible to continue gear switching activity. The Council also voted to set a control date of September 15, 2017, to account for participants’ financial investment to engage in gear switching in the shorebased IFQ trawl fishery. By establishing this control date, the Council is notifying industry that it may not provide credit for gear switching related activity after this date, in the event that it adopts restrictions on gear switching.

This announcement does not commit the Council or NMFS to any particular action or outcome. The Council may or may not use the control date as part of any deliberations and decisions on gear switching. The Council may also choose to take no further action.

Authority: 16 U.S.C. 1801 *et seq.*, 16 U.S.C. 773 *et seq.*, and 16 U.S.C. 7001 *et seq.*

Dated: April 23, 2018.

Samuel D. Rauch, III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 665

[Docket No. 180202114-8361-01]

RIN 0648-BH60

Pacific Island Fisheries; 5-Year Extension of Moratorium on Harvest of Gold Corals

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

ACTION: Proposed rule; request for comments.

SUMMARY: This proposed rule would extend the current region-wide moratorium on the harvest of gold corals in the U.S. Pacific Islands through June 30, 2023. NMFS intends this proposed rule to prevent overfishing and to stimulate research on gold corals.

DATES: NMFS must receive comments by May 11, 2018.

ADDRESSES: You may submit comments on this document, identified by NOAA-NMFS-2018-0018, by either of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <https://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2018-0018>, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Send written comments to Michael D. Tosatto, Regional Administrator, NMFS Pacific Islands Region (PIR), 1845 Wasp Blvd., Bldg. 176, Honolulu, HI 96818.

Instructions: NMFS may not consider comments sent by any other method, to any other address or individual, or received after the end of the comment period. All comments received are a part of the public record and will generally be posted for public viewing on <https://www.regulations.gov> without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or

otherwise sensitive information submitted voluntarily by the sender will be publicly accessible.

FOR FURTHER INFORMATION CONTACT: Kate Taylor, NMFS PIR Sustainable Fisheries, 808-725-5182.

SUPPLEMENTARY INFORMATION: Jewelry designers use small amounts of precious corals to adorn their products. The precious corals fishery in the U.S. Pacific Islands includes black, pink, bamboo, and gold corals. They are slow-growing and have low rates of natural mortality and recruitment. Unexploited populations are relatively stable, and a wide range of age classes is generally present. Due to the great longevity of individuals and the associated slow population turnover rates, a long period of reduced fishing effort is required to restore a stock's ability to produce at the maximum sustainable yield if a stock has been over-exploited. Fishermen harvest precious corals by various methods, including hand-harvesting and submersibles.

Gold corals are suspension feeders, and live in deep water (100–1,500 meters (m)) on hard substrates where bottom currents are strong, such as seamounts, ledges, pinnacles, walls, and cliffs. Prior fishing effort harvested gold corals by submersible or tangle net dredges. There are several beds of gold corals (*Gerardia* spp., *Callogorgia gilberti*, *Narella* spp., and *Calyptrophora* spp.) in the U.S. Exclusive Economic Zone (EEZ, generally 3–200 nautical miles from shore) around Hawaii. Gold coral distribution and abundance are unknown in the region beyond Hawaii, but they likely occur in the EEZ around American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the Pacific Remote Island Areas (PRIA: Baker Island, Howland Island, Jarvis Island, Wake Atoll, Johnston Atoll, Kingman Reef, Midway Atoll, and Palmyra Atoll).

NMFS and the Western Pacific Fishery Management Council (Council) manage precious coral fisheries in the U.S. Pacific Islands under fishery ecosystem plans (FEPs) for American Samoa, Hawaii, the Mariana Archipelago, and the PRIA. The FEPs and associated Federal regulations at 50 CFR part 665 require permits and data reporting, and allow harvesting of precious corals only with selective gear (e.g., submersibles, remotely-operated vehicles, or by hand). There are also bed-specific quotas, refuges from fishing, and size limits. The fishery for gold corals, like most deepwater precious corals, has remained dormant since 2001.

The Council considered past and current research on gold corals growth rates and recruitment. Past research on gold corals indicated that the linear growth rate of gold corals is approximately 6.6 centimeters/year, suggesting a relatively young age for large coral colonies. However, updated research using radiocarbon dating revealed that gold corals in Hawaii could have a growth rate of 0.14–0.40 centimeters/year and that colony ages ranged from 450–2,740 years. Additional research also identified previously unknown habitat requirements for gold coral, specifically that gold corals may depend on bamboo corals to provide required substrate for gold coral larvae.

Because of these uncertainties, the Council and NMFS established a 5-year moratorium on harvesting gold corals in 2008 (73 FR 47098, August 13, 2008). They extended the moratorium for another five years in 2013 (78 FR 32181, May 29, 2013). These moratoria have prevented the potential for overharvesting gold corals from a renewed fishery and allowed for research on gold coral biology. The current moratorium is scheduled to expire on June 30, 2018.

The Council continues to be concerned about uncertainties related to the growth rates and habitat requirements for gold coral, and recognizes that fishery managers need more research to inform appropriate measures for this fishery. This proposed rule would extend the moratorium through June 30, 2023. The proposed action would prevent the potential for overfishing and allow such further research on gold corals that could inform sustainable management models and reference points for appropriate gold coral management measures.

NMFS must receive any public comments on this proposed rule by the close of business on May 11, 2018, and will not consider late comments.

Classification

Pursuant to section 304(b)(1)(A) of the Magnuson-Stevens Act, the NMFS Assistant Administrator has determined that this proposed rule is consistent with the FEPs for American Samoa, the PRIA, Hawaii, and the Mariana Archipelago, other provisions of the Magnuson-Stevens Act, and other applicable law, subject to further consideration after public comment.

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