

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground.		Communities affected
		Effective	Modified	
	Approximately 1000 feet downstream from State Hwy 121.	*638	+633	City of Plano Collin County (Unincorporated Areas).

\*National Geodetic Vertical Datum.

#Depth in feet above ground.

+North American Vertical Datum.

#### ADDRESSES

##### City of Allen

Maps are available for inspection at One Butler Circle, Allen, TX 75013

Send comments to The Honorable Stephen Terrell, Mayor, City of Allen, 305 Century Parkway, Allen, TX 75013

##### City of Celina

Maps are available for inspection at City of Celina, 320 West Walnut, Celina, TX 75009

Send comments to The Honorable Corbett Howard, Mayor, City of Celina, 302 West Walnut, Celina, TX 75009

##### City of Frisco

Maps are available for inspection at City of Frisco, 6891 Main Street, Frisco, TX 75034

Send comments to The Honorable Michael Simpson, Mayor, City of Frisco, 6101 Frisco Square Blvd, Frisco, TX 75034

##### City of Lucas

Maps are available for inspection at 151 Country Club Road, Lucas, TX 75002

Send comments to The Honorable Bob Sanders, Mayor, City of Lucas, 151 Country Club Road, Lucas, TX 75002

##### City of McKinney

Maps are available for inspection at City of McKinney, 222 North Tennessee Street, McKinney, TX 75070

Send comments to The Honorable Bill Whitfield, Mayor, City of McKinney, 222 North Tennessee, McKinney, TX 75070

##### City of Melissa

Maps are available for inspection at City of Melissa, 109 U.S. Hwy 121, Melissa, TX 75454

Send comments to The Honorable David Dorman, Mayor, City of Melissa, P.O. Box 409, Melissa, TX 75454

##### City of Parker

Maps are available for inspection at City of Parker, 5700 East Parker Road, Parker, TX 75002

Send comments to The Honorable Jerry Tartaglino, Mayor, City of Parker, 5700 East Parker Road, Parker, TX 75002

##### City of Plano

Maps are available for inspection at City of Plano, 1520 Avenue K, Plano, TX 75086

Send comments to The Honorable Pat Evans, Mayor, City of Plano, P.O. Box 860358, Plano, TX 75086

##### City of Wylie

Maps are available for inspection at City of Wylie, 114 North Ballard Avenue, Wylie, TX 75098

Send comments to The Honorable John Mondy, Mayor, City of Wylie, 2000 Hwy 78 North, Wylie, TX 75098

##### Collin County (Unincorporated Areas)

Maps are available for inspection at Collin County Department of Public Works, 210 South McDonald Street, McKinney, TX 75069

Send comments to The Honorable Ron Harris, Judge, Collin County, 210 South McDonald, McKinney, TX 75069

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

Dated March 26, 2007.

David I. Maurstad,

Director, Mitigation Division, Federal Emergency Management Agency, Department of Homeland Security.

[FR Doc. E7-6555 Filed 4-6-07; 845 am]

BILLING CODE 9110-12-P

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 544

[Docket No.: NHTSA-2007-27240]

RIN 2127-AJ98

#### Insurer Reporting Requirements; List of Insurers Required To File Reports

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This document proposes to amend Appendices A, B, and C of 49 CFR Part 544, insurer reporting requirements. The appendices list those

passenger motor vehicle insurers that are required to file reports on their motor vehicle theft loss experiences. An insurer included in any of these appendices would be required to file three copies of its report for the 2004 calendar year before October 25, 2007. If the passenger motor vehicle insurers remain listed, they must submit reports by each subsequent October 25. We are proposing to add and remove several insurers from relevant appendices.

**DATES:** Comments must be submitted not later than June 8, 2007. Insurers listed in the appendices are required to submit reports on or before October 25, 2007.

**ADDRESSES:** You may submit comments, identified by docket number: NHTSA-

2007-27240 and/or RIN number: 2127-AJ98, by any of the following methods:

- *Federal eRulemaking Portal*: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Agency Web Site*: <http://dms.dot.gov>. Follow the instructions for submitting comments on the Docket Management System.
- *Fax*: (202) 493-2251.
- *Mail*: Dockets, 400 7th Street, SW., Washington, DC 20590.
- *Hand Delivery/Courier*: Plaza Level Room 401, (PL #401), of the Nassif Building, 400 7th Street, SW., Washington, DC 20590. *Telephone*: 1-800-647-5527.

You may visit the Docket from 10 a.m. to 5 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:**

Rosalind Proctor, Office of International Vehicle, Fuel Economy and Consumer Standards, NHTSA, 400 Seventh Street, SW., Washington, DC 20590, by electronic mail to [rosalind.proctor@dot.gov](mailto:rosalind.proctor@dot.gov). Ms. Proctor's telephone number is (202) 366-0846. Her fax number is (202) 493-2290.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Pursuant to 49 U.S.C. 33112, Insurer reports and information, NHTSA requires certain passenger motor vehicle insurers to file an annual report with the agency. Each insurer's report includes information about thefts and recoveries of motor vehicles, the rating rules used by the insurer to establish premiums for comprehensive coverage, the actions taken by the insurer to reduce such premiums, and the actions taken by the insurer to reduce or deter theft. Under the agency's regulation, 49 CFR Part 544, the following insurers are subject to the reporting requirements:

(1) Issuers of motor vehicle insurance policies whose total premiums account for 1 percent or more of the total premiums of motor vehicle insurance issued within the United States;

(2) Issuers of motor vehicle insurance policies whose premiums account for 10 percent or more of total premiums written within any one state; and

(3) Rental and leasing companies with a fleet of 20 or more vehicles not covered by theft insurance policies issued by insurers of motor vehicles, other than any governmental entity.

Pursuant to its statutory exemption authority, the agency exempted certain passenger motor vehicle insurers from the reporting requirements.

**A. Small Insurers of Passenger Motor Vehicles**

Section 33112(f)(2) provides that the agency shall exempt small insurers of

passenger motor vehicles if NHTSA finds that such exemptions will not significantly affect the validity or usefulness of the information in the reports, either nationally or on a state-by-state basis. The term "small insurer" is defined, in Section 33112(f)(1)(A) and (B), as an insurer whose premiums for motor vehicle insurance issued directly or through an affiliate, including pooling arrangements established under state law or regulation for the issuance of motor vehicle insurance, account for less than 1 percent of the total premiums for all forms of motor vehicle insurance issued by insurers within the United States. However, that section also stipulates that if an insurance company satisfies this definition of a "small insurer," but accounts for 10 percent or more of the total premiums for all motor vehicle insurance issued in a particular state, the insurer must report about its operations in that state.

In the final rule establishing the insurer reports requirement (52 FR 59; January 2, 1987), 49 CFR Part 544, NHTSA exercised its exemption authority by listing in Appendix A each insurer that must report because it had at least 1 percent of the motor vehicle insurance premiums nationally. Listing the insurers subject to reporting, instead of each insurer exempted from reporting because it had less than 1 percent of the premiums nationally, is administratively simpler since the former group is much smaller than the latter. In Appendix B, NHTSA lists those insurers required to report for particular states because each insurer had a 10 percent or greater market share of motor vehicle premiums in those states. In the January 1987 final rule, the agency stated that it would update Appendices A and B annually. NHTSA updates the appendices based on data voluntarily provided by insurance companies to A.M. Best.<sup>1</sup> A.M. Best, publishes in its State/Line Report each spring. The agency uses the data to determine the insurers' market shares nationally and in each state.

**B. Self-Insured Rental and Leasing Companies**

In addition, upon making certain determinations, NHTSA grants exemptions to self-insurers, i.e., any person who has a fleet of 20 or more motor vehicles (other than any governmental entity) used for rental or lease whose vehicles are not covered by theft insurance policies issued by

insurers of passenger motor vehicles, 49 U.S.C. 33112(b)(1) and (f). Under 49 U.S.C. 33112(e)(1) and (2), NHTSA may exempt a self-insurer from reporting, if the agency determines:

(1) The cost of preparing and furnishing such reports is excessive in relation to the size of the business of the insurer; and 33112(e)(1) and (2),

(2) the insurer's report will not significantly contribute to carrying out the purposes of Chapter 331.

In a final rule published June 22, 1990 (55 FR 25606), the agency granted a class exemption to all companies that rent or lease fewer than 50,000 vehicles, because it believed that the largest companies' reports sufficiently represent the theft experience of rental and leasing companies. NHTSA concluded that smaller rental and leasing companies' reports do not significantly contribute to carrying out NHTSA's statutory obligations and that exempting such companies will relieve an unnecessary burden on them. As a result of the June 1990 final rule, the agency added Appendix C, consisting of an annually updated list of the self-insurers subject to Part 544. Following the same approach as in Appendix A, NHTSA included, in Appendix C, each of the self-insurers subject to reporting instead of the self-insurers which are exempted.

NHTSA updates Appendix C based primarily on information from *Automotive Fleet Magazine* and *Auto Rental News*.<sup>2</sup>

**C. When a Listed Insurer Must File a Report**

Under Part 544, as long as an insurer is listed, it must file reports on or before October 25 of each year. Thus, any insurer listed in the appendices must file a report before October 25, and by each succeeding October 25, absent an amendment removing the insurer's name from the appendices.

**II. Proposal**

**1. Insurers of Passenger Motor Vehicles**

Appendix A lists insurers that must report because each had 1 percent of the motor vehicle insurance premiums on a national basis. The list was last amended in a final rule published on September 5, 2006 (71 FR 52291). Subsequent to publishing the listing, the agency was informed that Travelers Property Casualty Corporation merged with St Paul Companies, officially becoming St Paul Travelers Companies

<sup>1</sup> A.M. Best Company is a well-recognized source of insurance company ratings and information. 49 U.S.C. 33112(j) authorizes NHTSA to consult with public and private organizations as necessary.

<sup>2</sup> *Automotive Fleet Magazine* and *Auto Rental News* are publications that provide information on the size of fleets and market share of rental and leasing companies.

on April 1, 2004. Therefore, the agency proposes to remove Travelers PC Group and add St Paul Travelers Companies to Appendix A.

Each of the 18 insurers listed in Appendix A are required to file a report before October 25, 2007, setting forth the information required by Part 544 for each State in which it did business in the 2004 calendar year. As long as these 18 insurers remain listed, they will be required to submit reports by each subsequent October 25 for the calendar year ending slightly less than 3 years before.

Appendix B lists insurers required to report for particular States for calendar year 2004, because each insurer had a 10 percent or greater market share of motor vehicle premiums in those States. Based on the 2004 calendar year data for market shares from A.M. Best, we propose to remove Arbella Mutual Insurance (Massachusetts) and add the Farm Bureau of Idaho Group (Idaho) to Appendix B.

The nine insurers listed in Appendix B are required to report on their calendar year 2004 activities in every State where they had a 10 percent or greater market share. These reports must be filed by October 25, 2007, and set forth the information required by Part 544. As long as these nine insurers remain listed, they would be required to submit reports on or before each subsequent October 25 for the calendar year ending slightly less than 3 years before.

## 2. Rental and Leasing Companies

Appendix C lists rental and leasing companies required to file reports. Based on information in Automotive Fleet Magazine and Auto Rental News for 2004, NHTSA proposes to add Emkay Inc. Each of the 8 companies (including franchisees and licensees) listed in Appendix C would be required to file reports for calendar year 2004 no later than October 25, 2007, and set forth the information required by Part 544. As long as those 8 companies remain listed, they would be required to submit reports before each subsequent October 25 for the calendar year ending slightly less than 3 years before.

## III. Regulatory Impacts

### 1. Costs and Other Impacts

This notice has not been reviewed under Executive Order 12866. NHTSA has considered the impact of this proposed rule and determined that the action is not "significant" within the meaning of the Department of Transportation's regulatory policies and procedures. This proposed rule

implements the agency's policy of ensuring that all insurance companies that are statutorily eligible for exemption from the insurer reporting requirements are in fact exempted from those requirements. Only those companies that are not statutorily eligible for an exemption are required to file reports.

NHTSA does not believe that this proposed rule, reflecting current data, affects the impacts described in the final regulatory evaluation prepared for the final rule establishing Part 544 (52 FR 59; January 2, 1987). Accordingly, a separate regulatory evaluation has not been prepared for this rulemaking action. Using the Bureau of Labor Statistics Consumer Price Index for 2006 (see <http://www.bls.gov/cgi-bin/survey/most>), the cost estimates in the 1987 final regulatory evaluation were adjusted for inflation. The agency estimates that the cost of compliance is \$100,800 for any insurer added to Appendix A, \$40,320 for any insurer added to Appendix B, and \$11,632 for any insurer added to Appendix C. If this proposed rule is made final, for Appendix A, the agency would propose to remove one company and add one company; for Appendix B, the agency would propose to remove one company and add one company; and for Appendix C, the agency would propose to add one company. The agency estimates that the net effect of this proposal, if made final, would be a cost increase to insurers, as a group of approximately \$11,632.

Interested persons may wish to examine the 1987 final regulatory evaluation. Copies of that evaluation were placed in Docket No. T86-01; Notice 2. Any interested person may obtain a copy of this evaluation by writing to NHTSA, Docket Section, Room 5109, 400 Seventh Street, SW., Washington, DC 20590, or by calling (202) 366-4949.

### 2. Paperwork Reduction Act

The information collection requirements in this proposed rule were submitted and approved by the Office of Management and Budget (OMB) pursuant to the requirements of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). This collection of information is assigned OMB Control Number 2127-0547 ("Insurer Reporting Requirements") and approved for use through August 31, 2009, and the agency will seek to extend the approval afterwards.

### 3. Regulatory Flexibility Act

The agency also considered the effects of this rulemaking under the Regulatory

Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*). I certify that this proposed rule will not have a significant economic impact on a substantial number of small entities. The rationale for the certification is that none of the companies proposed for Appendices A, B, or C are construed to be a small entity within the definition of the RFA. "Small insurer" is defined, in part under 49 U.S.C. 33112, as any insurer whose premiums for all forms of motor vehicle insurance account for less than 1 percent of the total premiums for all forms of motor vehicle insurance issued by insurers within the United States, or any insurer whose premiums within any State, account for less than 10 percent of the total premiums for all forms of motor vehicle insurance issued by insurers within the State. This notice would exempt all insurers meeting those criteria. Any insurer too large to meet those criteria is not a small entity. In addition, in this rulemaking, the agency proposes to exempt all "self insured rental and leasing companies" that have fleets of fewer than 50,000 vehicles. Any self-insured rental and leasing company too large to meet that criterion is not a small entity.

### 4. Federalism

This action has been analyzed according to the principles and criteria contained in Executive Order 12612, and it has been determined that the proposed rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

### 5. Environmental Impacts

In accordance with the National Environmental Policy Act, NHTSA has considered the environmental impacts of this proposed rule and determined that it would not have a significant impact on the quality of the human environment.

### 6. Regulation Identifier Number (RIN)

The Department of Transportation assigns a regulation identifier number (RIN) to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. You may use the RIN contained in the heading, at the beginning, of this document to find this action in the Unified Agenda.

### 7. Plain Language

Executive Order 12866 and the President's memorandum of June 1, 1998, require each agency to write all rules in plain language. Application of the principles of plain language

includes consideration of the following questions:

- Have we organized the material to suit the public's needs?
- Are the requirements in the proposal clearly stated?
- Does the proposal contain technical language or jargon that is not clear?
- Would a different format (grouping and order of sections, use of headings, paragraphing) make the rule easier to understand?
- Would more (but shorter) sections be better?
- Could we improve clarity by adding tables, lists, or diagrams?
- What else could we do to make the proposal easier to understand?

If you have any responses to these questions, you can forward them to me several ways:

- a. *Mail*: Rosalind Proctor, Office of International Vehicle, Fuel Economy and Consumer Standards, NHTSA, 400 Seventh Street, SW., Washington, DC 20590;
- b. *E-mail*: [rosalind.proctor@dot.gov](mailto:rosalind.proctor@dot.gov);
- c. *Fax*: (202) 493-2290.

#### IV. Comments

##### *Submission of Comments*

##### 1. How Can I Influence NHTSA's Thinking on This Proposed Rule?

In developing our rules, NHTSA tries to address the concerns of all our stakeholders. Your comments will help us improve this rule. We invite you to provide views on our proposal, new data, a discussion of the effects of this proposal on you, or other relevant information. We welcome your views on all aspects of this proposed rule. Your comments will be most effective if you follow the suggestions below:

- Explain your views and reasoning clearly.
- Provide solid technical and cost data to support your views.
- If you estimate potential costs, explain how you derived the estimate.
- Provide specific examples to illustrate your concerns.
- Offer specific alternatives.
- Include the name, date, and docket number with your comments.

##### 2. How Do I Prepare and Submit Comments?

Your comments must be written in English. To ensure that your comments are correctly filed in the Docket, please include the docket number of this document in your comments.

Your comments must not exceed 15 pages long (49 CFR 553.21). We established this limit to encourage you to write your primary comments

concisely. You may attach necessary documents to your comments. We have no limit on the attachments' length.

Please submit two copies of your comments, including the attachments, to Docket Management at the address given above under **ADDRESSES**.

Comments may also be submitted to the docket electronically by logging onto the Dockets Management System Web site at <http://dms.dot.gov>. Click on "Help & Information" or "Help/Info" to obtain instructions for filling the document electronically.

##### 3. How Can I Be Sure That My Comments Were Received?

If you wish Docket Management to notify you, upon its receipt of your comments, enclose a self-addressed, stamped postcard in the envelope containing your comments. Upon receiving your comments, Docket Management will mail the postcard.

##### 4. How Do I Submit Confidential Business Information?

If you wish to submit any information under a confidentiality claim, you should submit three copies of your complete submission, including the information you claim as confidential business information, to the Chief Counsel, Office of Chief Counsel, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. In addition, you should submit two copies, from which you have deleted the claimed confidential business information, to Docket Management at the address given above under **ADDRESSES**. When you send a comment containing information claimed to be confidential business information, you should include a cover letter addressing the information specified in our confidential business information regulation (49 CFR Part 512).

##### 5. Will the Agency Consider Late Comments?

NHTSA will consider all comments that Docket Management receives before the close of business on the comment closing date indicated above under **DATES**. To the extent possible, we will also consider comments that Docket Management receives after that date. If Docket Management receives a comment too late for us to consider, in developing a final rule (assuming that one is issued), we will consider that comment as an informal suggestion for future rulemaking action.

##### 6. How Can I Read the Comments Submitted by Other People?

You may read the comments received by Docket Management at the address

given above under **ADDRESSES**. The hours of the Docket are indicated above, in the same location. You may also see the comments on the Internet. To read the comments on the Internet, take the following steps:

1. Go to the Docket Management System (DMS) Web page of the Department of Transportation (<http://dms.dot.gov/>).
2. On that page, click on "search."
3. On the next page (<http://dms.dot.gov/search/>), type in the four-digit docket number shown at the beginning of this document. Example: If the docket number was "NHTSA 1998-1234," you would type "1234." After typing the docket number, click on "search."

4. On the next page, which contains docket summary information for the docket you selected, click on the desired comments. The "pdf" versions of the documents are word searchable.

#### V. Conclusion

Based on the foregoing, we are proposing to amend Appendices A, B, and C of 49 CFR 544, Insurer Reporting Requirements. We are also amending § 544.5 to revise the example given the recent update to the reporting requirements.

#### List of Subjects in 49 CFR Part 544

Crime insurance, insurance, insurance companies, motor vehicles, reporting and recordkeeping requirements.

In consideration of the foregoing, 49 CFR Part 544 is proposed to be amended as follows:

#### **PART 544—[AMENDED]**

1. The authority citation for part 544 continues to read as follows:

**Authority:** 49 U.S.C. 33112; delegation of authority at 49 CFR 1.50.

2. Paragraph (a) of § 544.5 is revised to read as follows:

#### **§ 544.5 General requirements for reports.**

(a) Each insurer to which this part applies shall submit a report annually before October 25, beginning on October 25, 1986. This report shall contain the information required by § 544.6 of this part for the calendar year 3 years previous to the year in which the report is filed (e.g., the report due by October 25, 2007, will contain the required information for the 2004 calendar year).

\* \* \* \* \*

3. Appendix A to Part 544 is revised to read as follows:

### Appendix A—Insurers of Motor Vehicle Insurance Policies Subject to the Reporting Requirements in Each State in Which They Do Business

Allstate Insurance Group  
 American Family Insurance Group  
 American International Group  
 Auto-Owners Insurance Group  
 CNA Insurance Companies  
 Erie Insurance Group  
 Berkshire Hathaway/GEICO Corporation Group  
 Hartford Insurance Group  
 Liberty Mutual Insurance Companies  
 Metropolitan Life Auto & Home Group  
 Mercury General Group  
 Nationwide Group  
 Progressive Group  
 Safeco Insurance Companies  
 State Farm Group  
 St Paul Travelers Companies<sup>1</sup>  
 USAA Group  
 Farmers Insurance Group

4. Appendix B to Part 544 is revised to read as follows:

### Appendix B—Issuers of Motor Vehicle Insurance Policies Subject to the Reporting Requirements Only in Designated States

Alfa Insurance Group (Alabama)  
 Auto Club (Michigan)  
 Commerce Group, Inc. (Massachusetts)  
 Farm Bureau of Idaho Group (Idaho)<sup>1</sup>  
 Kentucky Farm Bureau Group (Kentucky)  
 New Jersey Manufacturers Group (New Jersey)  
 Safety Group (Massachusetts)  
 Southern Farm Bureau Group (Arkansas, Mississippi)  
 Tennessee Farmers Companies (Tennessee)

5. Appendix C to Part 544 is revised to read as follows:

### Appendix C—Motor Vehicle Rental and Leasing Companies (Including Licensees and Franchisees) Subject to the Reporting Requirements of Part 544

Cendant Car Rental  
 Dollar Thrifty Automotive Group  
 EmKay, Inc. 1  
 Enterprise Rent-A-Car  
 Enterprise Fleet Services  
 Hertz Rent-A-Car Division (subsidiary of The Hertz Corporation)  
 U-Haul International, Inc. (Subsidiary of AMERCO)  
 Vanguard Car Rental USA

Issued on: March 30, 2007.

**Stephen R. Kratzke,**

*Associate Administrator for Rulemaking.*  
 [FR Doc. E7-6519 Filed 4-6-07; 8:45 am]

**BILLING CODE 4910-59-P**

<sup>1</sup> Indicates a newly listed company, which must file a report beginning with the report due October 25, 2007.

<sup>1</sup> Indicates a newly listed company, which must file a report beginning with the report due October 25, 2007.

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 070323069-7069-01; I.D. 031907A]

RIN 0648-AV46

#### Pacific Coast Groundfish Fishery

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS issues a proposed rule to establish catch accounting requirements for persons who receive, buy, or accept Pacific whiting (whiting) deliveries of 4,000 pounds (lb) (1.18 mt) or more from vessels using mid-water trawl gear during the primary whiting season. This action would improve NMFS's ability to effectively monitor the whiting fishery such that catch of whiting and incidentally caught species, including overfished groundfish species, do not result in a species' optimum yield (OY), harvest guideline, allocations, or bycatch limits being exceeded. This action would also provide for timely reporting of Chinook salmon take as specified in the Endangered Species Act (ESA) Section 7 Biological Opinion for Chinook salmon catch in the Pacific groundfish fishery. This action is consistent with the conservation goals and objectives of the Pacific Coast Groundfish Fishery Management Plan (FMP).

**DATES:** Comments must be received by April 24, 2007.

**ADDRESSES:** You may submit comments, identified by I.D. 031907A by any of the following methods:

- E-mail:

*HakeProcessors.nwr@noaa.gov*; Include I.D. 031907A in the subject line of the message.

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

- Fax: 206-526-6736, Attn: Becky Renko

- Mail: D. Robert Lohn, Administrator, Northwest Region, NMFS, 7600 Sand Point Way NE, Seattle, WA 98115-0070, Attn: Becky Renko

Copies of the Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis (EA/RIR/IRFA) prepared for this action may be obtained from the Northwest

Region, NMFS, 7600 Sand Point Way N.E., BIN C15700, Bldg. 1, Seattle, WA 98115-0070. Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this proposed rule may be submitted to the Northwest Region (see Addresses) and by e-mail to

*David\_Rostker@omb.eop.gov*, or fax to (202) 395-7285. Send comments on collection-of-information requirements to the NMFS address above and to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB), Washington DC 20503 (Attn: NOAA Desk Officer).

**FOR FURTHER INFORMATION CONTACT:**

Becky Renko, phone: 206-526-6110, fax: 206-526-6736, or e-mail: *becky.renko@noaa.gov*.

**Electronic Access:** This proposed rule is accessible via the Internet at the Office of the **Federal Register's** Web site at [http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html). Background information and documents are available at the NMFS Northwest Region Web site at <http://www.nwr.noaa.gov/Groundfish-Halibut/Groundfish-Fishery-Management/index.cfm> and at the Council's Web site at <http://www.pcouncil.org>.

**SUPPLEMENTARY INFORMATION:** The proposed action is to provide for electronic catch accounting and other monitoring improvements for the shore-based sector of the whiting fishery. The proposed action defines requirements for recordkeeping, reporting, catch sorting, and scale use for persons who receive, buy, or accept unsorted deliveries (generally processors or transporters) of 4,000 lb (1.8 mt) or more of whiting from vessels using midwater trawl gear during the primary season for the shore-based sector. This action is intended to address difficulties that occurred during the 2006 whiting season that could compromise the ability to account for the catch of target, incidental and prohibited species, and which could compromise the ability to manage groundfish species OYs, trip limits, bycatch limits, and Chinook salmon take in relation to Biological Opinion specifications.

The shore-based whiting fishery needs to have a catch reporting system in place that: provides timely reporting of catch data so that whiting, overfished species and Chinook salmon can be adequately monitored and accounted for inseason; and, specifies catch sorting and weight requirements necessary to maintain the integrity of fish ticket values used to manage groundfish species OYs, trip limits, and bycatch