47 CFR Part 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:


§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under California, is amended by adding Channel 231A at Merced. Federal Communications Commission.

Kathleen B. Levitz, Deputy Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 90-25954 Filed 11-1-90; 8:45 am]
BILLING CODE 6712-01-M

DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

50 CFR Part 646

[Doc. No. 900795-0263]
RIN 0648-AC36
Snapper-Grouper Fishery of the South Atlantic

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Final rule.

SUMMARY: NOAA issues this rule to implement Amendment 2 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP). This rule prohibits the harvest or possession of Jewfish in or from the exclusive economic zone (EEZ) off the South Atlantic states. The intended effect of this rule is to reduce fishing mortality of Jewfish so that the species may be protected and the stock rebuilt.

EFFECTIVE DATE: October 30, 1990.

FOR FURTHER INFORMATION CONTACT: Robert A. Sadler, 813-893-3722.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission’s Report and Order, MM Docket No. 89-586, adopted October 1, 1990, and released October 30, 1990. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 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, (202) 857-3800, 2100 M Street NW., room 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73
Radio broadcasting.
statutory time period; therefore, consistent is implied.

This rule does not contain a collection-of-information requirement for purposes of the Paperwork Reduction Act.

This rule does not contain policies with federalism implications sufficient to warrant preparation of a federalism assessment under E.O. 12602.

The Assistant Administrator, pursuant to the Administrative Procedure Act (5 U.S.C. 553(d)(3)), finds for good cause, namely, to continue, uninterrupted, the required protection of the jewfish resource in the EEZ off the South Atlantic states, that it is not necessary to delay for 30 days the effective date of this rule.

List of Subjects in 50 CFR Part 646

Fisheries, Fishing, Reporting and recordkeeping requirements.


Michael F. Tillman,
Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.

For the reasons set forth in the preamble, 50 CFR part 646 is amended as follows:

PART 646—SNAPPER-GROUPER FISHERY OF THE SOUTH ATLANTIC

1. The authority citation for part 646 continues to read as follows:

Authority: 16 U.S.C. 1901 et seq.

2. In § 646.24, in paragraph (b) the reference to "§ 646.24(b)(2) and (c)" is revised to read "§ 646.24 (b) and (c)".

3. In § 646.20, a new paragraph (c) is added to read as follows:

(c) A jewfish may not be harvested or possessed in or from the EEZ, jewfish taken in the EEZ, or from the EEZ, jewfish, or raw material of jewfish, unless taken by hook and line gear, must be released immediately by cutting the line without removing the fish from the water.

4. In § 646.24, paragraph (b) is revised to read as follows:

50 CFR Part 669

[DOcket No. 900786-0263]

RIN 0648-AD47

Shallow-Water Reef Fishery of Puerto Rico and the U.S. Virgin Islands

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Final rule.

SUMMARY: NOAA issues this final rule to implement Amendment 1 to the Shallow-Water Reef Fishery Management Plan for Puerto Rico and the U.S. Virgin Islands (FMP). This rule (1) increases the minimum allowable mesh size used in fish traps to 2 inches (5.08 centimeters); (2) prohibits the harvest or possession of Nassau grouper; (3) closes an area of approximately 14 square nautical miles (48 km²) in the Exclusive Economic Zone (EEZ) southwest of St. Thomas, U.S. Virgin Islands, to fishing during the spawning season for red hind; and (4) prohibits the possession of dynamite or similar explosive substances on board vessels in the fishery. The intended effects of this rule are to rebuild the declining reef fish species and to enhance enforcement.

EFFECTIVE DATE: November 29, 1990, except that paragraph § 669.24(a)(1) is effective September 14, 1991.


SUPPLEMENTARY INFORMATION: The shallow-water reef fish fishery is managed under the FMP, prepared by the Caribbean Fishery Management Council (Council), and its implementing regulations at 50 CFR part 669, under authority of the Magnuson Fishery Conservation and Management Act (Magnuson Act).

Amendment 1 to the FMP contains (1) additional management measures to rebuild declining reef fish species, (2) authorization for collection of socio-economic information, (3) definitions of overfishing and overfished, and (4) a revised habitat section. A notice of availability summarizing Amendment 1 was published in the Federal Register on June 21, 1990 (55 FR 25340). The additional management measures and the background and rationale for all the changes in Amendment 1, and an additional change to the regulations proposed by NOAA, were discussed in the proposed rule (55 FR 25707, July 13, 1990) and are not repeated here.

Comments and Responses

Twenty-eight sets of comments were received on Amendment 1 during the public comment period, including a form letter signed by 24 members of a fishing organization that was the legislature of the U.S. Virgin Islands. A state fisheries research laboratory provided information on trap mesh size and an additional red hind spawning site.

Comment: All commenters supported the spawning season closure for red hind in the specified area off the U.S. Virgin Islands, and two indicated that similar areas also should be closed off Puerto Rico. A state fisheries scientist provided geographical information on such an area of Puerto Rico, and suggested that this area be closed by Amendment 1.

Response: NOAA agrees that closing spawning aggregation areas may be critical to sustaining the red hind resource. However, incorporating the recently defined spawning site off Puerto Rico into Amendment 1 would only serve to delay implementation of the management measures and cause a lapse in the closure off the U.S. Virgin Islands during the forthcoming spawning season. The Council may consider additional spawning area closures, including the area described off Puerto Rico, and make appropriate changes by regulatory amendment using the regulatory adjustment procedure contained in Amendment 1.

Comment: Twenty-six commenters objected to the establishment of two inches, the smallest dimension, as the minimum mesh size for fish traps and believed that this management measure would increase escapement of certain slender-bodied species that have consumer value. One commenter indicated that regulation of gillnets and prohibiting the use of bait in fish traps should be substituted for this management measure. The others contended that only part (one side) of the traps needs to be constructed of 2-inch mesh to allow juvenile fish to escape, thus, reducing economic impacts associated with removing the entire trap. They stated that the life expectancy of coated wire traps is three to four years, and that many fishermen have already purchased replacement mesh for traps destroyed by hurricane Hugo.

Response: The current mesh size of 1 1/4 inches results in a large bycatch of juvenile reef fish in the trap fishery.
Corrections

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF THE INTERIOR
Office of Hearings and Appeals
43 CFR Part 4
RIN 1094-AA40

White Earth Reservation Land Settlement Act of 1985

Correction

In proposed rule document 90-25945 beginning on page 46530 in the issue of Monday, November 5, 1990, make the following corrections:

1. On page 46531, in the first column:
   a. In the paragraph labeled "Section 4.350(a)", in the 20th line "of" should read "on";
   b. In the ninth line from the bottom of the page "indicated" should read "dictated".

2. On the same page, in the third column:
   a. In the fifth line "other" was misspelled; and
   b. In the 27th line from the bottom, "an" should read "and".

3. On page 46532:
   a. In the first column, in the 23rd line, "determination" was misspelled;
   b. In the same column, in the fourth line from the bottom, "had" should read "has", and in the third line from the bottom "process" was misspelled;
   c. In the second column, in the paragraph labeled "Section 4.352(d)", in the sixth line, "4.353(b)" should read "4.352(b)"; and
   d. In the third column, in the 12th line, "and, second" should read "and, second.".

4. On page 46533, in the first column, in the last paragraph, in the third line, "requiring" was misspelled.

§ 4.350 [Corrected]

5. On page 46534, in the first column, in § 4.350(c)(2), in the first line "Broad" should read "Board" and in the second line "Appeals" was misspelled.

§ 4.352 [Corrected]

6. On the same page, in the third column, in § 4.352(c), in the seventh line "request" should read "requests".

BILLING CODE 1505-01-D

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