

(iv) The applicant's service provider is unwilling to complete installation because funding disbursements are delayed while the Administrator investigates the application for program compliance.

\* \* \* \* \*

**§ 54.509 [Removed and Reserved]**

■ 11. Remove and reserve § 54.509.

**§ 54.518 [Removed and Reserved]**

■ 12. Remove and reserve § 54.518.

**Subpart I—Administration**

■ 13. Revise § 54.720 to read as follows:

**§ 54.720 Filing deadlines.**

(a) An affected party requesting review or waiver of an Administrator decision by the Commission pursuant to § 54.719, shall file such a request within sixty (60) days from the date the Administrator issues a decision.

(b) An affected party requesting review of an Administrator decision by the Administrator pursuant to § 54.719(a), shall file such a request within sixty (60) days from the date the Administrator issues a decision.

(c) In all cases of requests for review filed under § 54.719(a) through (c), the request for review shall be deemed filed on the postmark date. If the postmark date cannot be determined, the applicant must file a sworn affidavit stating the date that the request for review was mailed.

(d) Parties shall adhere to the time periods for filing oppositions and replies set forth in 47 CFR 1.45.

[FR Doc. 2015-01414 Filed 2-3-15; 8:45 am]

**BILLING CODE 6712-01-P**

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 635**

[Docket No. 120328229-5064-03]

**RIN 0648-BC09**

**Atlantic Highly Migratory Species; 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan; Amendment 7; Correction**

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

**ACTION:** Final rule; correcting amendment.

**SUMMARY:** This action corrects a typographical error that appeared in the final rule implementing Amendment 7 to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan (2006 Consolidated HMS FMP) that published in the **Federal Register** on December 2, 2014 (79 FR 71510). Specifically, this rule corrects one of the coordinates in the definition of the Cape Hatteras Gear Restricted Area (GRA) to make the geographic area in the definition match the geographic area analyzed and identified in all of the Amendment 7 documents.

**DATES:** This rule is effective February 4, 2015.

**FOR FURTHER INFORMATION CONTACT:** Thomas Warren or Brad McHale at 978-281-9260.

**SUPPLEMENTARY INFORMATION:** NMFS implemented Amendment 7 to the 2006 Consolidated HMS FMP through a final rule that published on December 2, 2014 (79 FR 71510) and that was effective January 1, 2015, except for § 635.9(b)(2)(ii) and (e)(1), which are effective June 1, 2015; and § 635.15(b)(3), (4)(ii), and (5)(i), which are effective January 1, 2016. The December 2 final rule added regulatory text at § 635.2 to define, among other things, "Cape Hatteras gear restricted area." In that definition at § 635.2, however, the sixth point of the geographic boundaries of the restricted area was incorrectly listed as "34°30' N. lat., 74°20' W. long." Instead, it should be "35°30' N. lat., 74°20' W. long." Thus, NMFS corrects the Cape Hatteras GRA definition at § 635.2.

This correction does not make any substantive change to the specific area presented and analyzed by NMFS in the Amendment 7 Final Environmental Impact Statement (FEIS) issued in August 2014 and included in permit holder letters and other outreach materials issued in December 2014, which contained the details and/or images of the correct area (*i.e.*, the coordinates used in those materials were correct). It only corrects an error in one of the coordinates published in the regulatory text of the definitions section of the final rule (79 FR 71510, December 2, 2014).

This correction is necessary so that pelagic longline fishermen are allowed to fish as intended by NMFS in preparing the FEIS and the final rule, in the area outside the eastern and southern boundaries of the Cape Hatteras GRA, as corrected, without being subject to the regulations that would apply within the GRA.

**Classification**

The Assistant Administrator (AA) for Fisheries, NOAA, finds that pursuant to 5 U.S.C. 553(b)(B), there is good cause to waive prior notice and an opportunity for public comment on this action, as notice and comment would be impracticable and contrary to the public interest. This document corrects the definition of the Cape Hatteras GRA by specifically correcting one of the coordinates that was incorrect in the December 2, 2014 final rule. The regulations regarding fishing in the Cape Hatteras GRA were effective January 1, 2015. This correction must be implemented in a timely manner so that pelagic longline fishermen are allowed to fish as intended by NMFS in preparing the FEIS and final rule, in the area outside the eastern and southern boundaries of the Cape Hatteras GRA, as corrected, without being subject to the regulations that would apply within the GRA. Implementation as defined in the current version of the regulations could result in unnecessarily restricting fishing in areas not intended to be gear restricted.

The correct coordinates in the final rule have previously been subject to notice and comment procedures through their inclusion in all of the relevant rulemaking documents and related analytical documents. The correction in this action does not make any substantive change to the requirements in the final rule. It only corrects the error in the implementing regulatory text. In addition, NMFS believes it is important for the public to have the correct information as soon as possible and finds no reason to delay its dissemination. Further delay would be contrary to the public interest, since the intended restrictions are not properly defined and, as a result, fishing could be unnecessarily restricted. This could have unintended economic consequences and unintended effects on fishing behavior.

For the reasons stated above, NMFS finds both notice and comment and the 30-day delay in effectiveness to be unnecessary pursuant to 5 U.S.C. 553(b)(B) and 5 U.S.C. 553(d), respectively. Therefore, NMFS finds good cause to waive notice and comment procedures and the 30-day delay in effective date for this correcting amendment.

**List of Subjects in 50 CFR Part 635**

Fisheries, Fishing, Fishing vessels, Foreign relations, Imports, Penalties,

Reporting and recordkeeping requirements, Treaties.

**Samuel D. Rauch III,**

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

For the reasons set out in the preamble, 50 CFR part 635 is corrected by making the following correcting amendments:

## **PART 635—ATLANTIC HIGHLY MIGRATORY SPECIES**

■ 1. The authority citation for part 635 continues to read as follows:

**Authority:** 16 U.S.C. 971 *et seq.*; 16 U.S.C. 1801 *et seq.*

■ 2. In § 635.2, revise the definition of “Cape Hatteras gear restricted area” to read as follows:

### **§ 635.2 Definitions.**

\* \* \* \* \*

*Cape Hatteras gear restricted area* means the area within the Atlantic Ocean bounded by straight lines connecting the following coordinates in the order stated: 34°50′ N. lat., 75°10′ W. long.; 35°40′ N. lat., 75°10′ W. long.; 35°40′ N. lat., 75°00′ W. long.; 37°10′ N. lat., 75°00′ W. long.; 37°10′ N. lat., 74°20′ W. long.; 35°30′ N. lat., 74°20′ W. long.; 34°50′ N. lat., 75°00′ W. long.; 34°50′ N. lat., 75°10′ W. long.

\* \* \* \* \*

[FR Doc. 2015–01952 Filed 1–29–15; 11:15 am]

**BILLING CODE 3510–22–P**

## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

#### **50 CFR Part 679**

[Docket No. 131021878–4158–02]

**RIN 0648–XD749**

#### **Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 Meters) Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area**

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Pacific cod by catcher vessels less than 60 feet (18.3 meters (m)) length overall (LOA) using hook-and-line or

pot gear in the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the 2015 Pacific cod total allowable catch allocated to catcher vessels less than 60 feet (18.3 m) LOA using hook-and-line or pot gear in the BSAI.

**DATES:** Effective 1200 hours, Alaska local time (A.l.t.), February 2, 2015, through 2400 hours, A.l.t., December 31, 2015.

**FOR FURTHER INFORMATION CONTACT:** Josh Keaton, 907–586–7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2015 Pacific cod total allowable catch (TAC) allocated to catcher vessels less than 60 feet (18.3 m) LOA using hook-and-line or pot gear in the BSAI is 6,138 metric tons (mt) as established by the final 2014 and 2015 harvest specifications for groundfish in the BSAI (79 FR 12108, March 4, 2014), inseason adjustment (80 FR 188, January 5, 2015), and reallocation (80 FR 3496, January 23, 2015).

In accordance with § 679.20(d)(1)(iii), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the 2015 Pacific cod TAC allocated as a directed fishing allowance to catcher vessels less than 60 feet (18.3 m) LOA using hook-and-line or pot gear in the BSAI will soon be reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by catcher vessels less than 60 feet (18.3 m) LOA using hook-and-line or pot gear in the BSAI.

After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

#### **Classification**

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is

impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of directed fishing for Pacific cod by catcher vessels less than 60 feet (18.3 m) LOA using hook-and-line or pot gear in the BSAI. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of January 29, 2015.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: January 30, 2015.

**Emily H. Menashes,**  
*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2015–02138 Filed 1–30–15; 4:15 pm]

**BILLING CODE 3510–22–P**

## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

#### **50 CFR Part 679**

[Docket No. 131021878–4158–02]

**RIN 0648–XD750**

#### **Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area**

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Atka mackerel in the Central Aleutian district (CAI) of the Bering Sea and Aleutian Islands management area (BSAI) by vessels participating in the BSAI trawl limited access fishery. This action is necessary to prevent exceeding the A season allowance of the 2015 Atka mackerel total allowable catch (TAC) in the CAI allocated to vessels participating in the BSAI trawl limited access fishery.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), January 30, 2015, through 1200 hrs, A.l.t., June 10, 2015.

**FOR FURTHER INFORMATION CONTACT:** Steve Whitney, 907–586–7228.