

Dated: March 1, 2007.

Robert W. Varney,
Regional Administrator, EPA New England.
[FR Doc. E7-4774 Filed 3-15-07; 8:45 am]
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GENERAL SERVICES
ADMINISTRATION

41 CFR Part 102-37

[FMR Amendment 2007-02; FMR Case
2007-102-1; Docket 2007-001; Sequence 1]

RIN 3090-A130

Federal Management Regulation; FMR
Case 2007-102-1, Donation of Surplus
Personal Property—Historic Light
Stations

AGENCY: Office of Governmentwide
Policy, General Services Administration
(GSA).

ACTION: Final rule.

SUMMARY: The General Services
Administration is amending the Federal
Management Regulation (FMR) by
incorporating the provisions in Public
Law 109-313 regarding donations to
historic light stations.

DATES: Effective Date: April 16, 2007.

FOR FURTHER INFORMATION CONTACT: Mr.
Robert Holcombe, Office of
Governmentwide Policy, Office of
Travel, Transportation, and Asset
Management (MT), at (202) 501-3828, or
e-mail at Robert.Holcombe@gsa.gov for
clarification of content. For information
pertaining to status or publication
schedules, contact the Regulatory
Secretariat, Room 4035, GS Building,
Washington, DC, 20405, (202) 501-4755.
Please cite FMR Amendment 2007-02,
FMR Case 2007-102-1.

SUPPLEMENTARY INFORMATION:

A. Background

Public Law 109-313, known as the
General Services Administration
Modernization Act, revised certain
provisions of title 40 U.S.C. 549. This
final rule reflects the changes made by
Public Law 109-313.

B. Executive Order 12866

The General Services Administration
(GSA) has determined that this final
rule is not a significant regulatory action
for the purposes of Executive Order
12866.

C. Regulatory Flexibility Act

This final rule is not required to be
published in the Federal Register for
comment. Therefore, the Regulatory
Flexibility Act does not apply.

D. Paperwork Reduction Act

The Paperwork Reduction Act does
not apply because the changes to the
FMR do not impose information
collection requirements that require the
approval of the Office of Management
and Budget under 44 U.S.C. 3501, et
seq.

E. Small Business Regulatory
Enforcement Fairness Act

This final rule is exempt from
Congressional review under 5 U.S.C.
801 since it relates solely to agency
management and personnel.

List of Subjects in 41 CFR Part 102-37

Government property management,
Surplus government property.

Dated: January 3, 2007.

Lurita Doan,
Administrator of General Services.

■ For the reasons set forth in the
preamble, GSA amends 41 CFR part
102-37 as set forth below:

PART 102-37—DONATION OF
SURPLUS PERSONAL PROPERTY

■ 1. The authority citation for 41 CFR
part 102-37 continues to read as
follows:

Authority: 40 U.S.C. 549 and 121(c).

■ 2. Amend § 102-37.380 by adding
paragraph (b)(17) to read as follows:

§ 102-37.380 What is the statutory
authority for donation of surplus Federal
property made under this subpart?

\* \* \* \* \*

(b) \* \* \*

(17) Historic light stations as defined
under section 308(e)(2) of the National
Historic Preservation Act (16 U.S.C.
470w-7(e)(2)), including a historic light
station conveyed under subsection (b) of
that section, notwithstanding the
number of hours that the historic light
station is open to the public.

\* \* \* \* \*

■ 3. Amend Appendix C to part 102-37
by alphabetically adding the definition
“Historic light station” to read as
follows:

Appendix C to Part 102-37—Glossary
of Terms for Determining Eligibility of
Public Agencies and Nonprofit
Organizations

\* \* \* \* \*

Historic light station means a historic
light station as defined under section
308(e)(2) of the National Historic
Preservation Act 16 U.S.C. 470w-7(e)2),
including a historic light station
conveyed under subsection (b) of that
section, notwithstanding the number of

hours that the historic light station is
open to the public.

\* \* \* \* \*

[FR Doc. E7-4845 Filed 3-15-07; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric
Administration

50 CFR Part 648

[Docket No. 060314069-6069-01; I.D.
031307A]

Magnuson-Stevens Fishery
Conservation and Management Act
Provisions; Fisheries of the
Northeastern United States; Atlantic
Sea Scallop Fishery; Closure of the
Elephant Trunk Scallop Access Area to
General Category Scallop Vessels

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS announces that the
Elephant Trunk Scallop Access Area
(ETAA) will close to general category
scallop vessels until it re-opens on
March 1, 2008. This action is based on
the determination that 865 general
category scallop trips into the ETAA are
projected to be taken as of 0001 hr local
time, March 15, 2007. This action is
being taken to prevent the allocation of
general category trips in the ETAA from
being exceeded during the 2007 fishing
year, in accordance with the regulations
implementing Framework 18 to the
Atlantic Sea Scallop Fishery
Management Plan (FMP) and the
Magnuson-Stevens Fishery
Conservation and Management Act.

DATES: The closure of the ETAA to all
general category scallop vessels is
effective 0001 hr local time, March 15,
2007, through February 29, 2008.

FOR FURTHER INFORMATION CONTACT:
Ryan Silva, Fishery Management
Specialist, (978) 281-9326, fax (978)
281-9135.

SUPPLEMENTARY INFORMATION:
Regulations governing fishing activity in
the Sea Scallop Access Areas are found
at §§ 648.59 and 648.60. Regulations
specifically governing general category
scallop vessel operations in the ETAA
are specified at § 648.59(e)(4)(ii). These
regulations authorize vessels issued a
valid general category scallop permit to
fish in the ETAA under specific
conditions, including a cap of 865 trips
that may be taken by general category

vessels during the 2007 fishing year. The regulations at § 648.59(e)(4)(ii) require the ETAA to be closed to general category scallop vessels once the Northeast Regional Administrator has determined that the allowed number of trips are projected to be taken.

Based on Vessel Monitoring System (VMS) trip declarations by general category scallop vessels fishing in the ETAA, and analysis of fishing effort, a projection concluded that, given current activity levels by general category scallop vessels in the area, the trip cap will be attained on March 15, 2007. Therefore, in accordance with the regulations at § 648.59(e)(4)(ii), the ETAA is closed to all general category scallop vessels as of 0001 hr local time, March 15, 2007. This closure is in effect for the remainder of the 2007 scallop fishing year. The ETAA is scheduled to re-open to scallop fishing, including trips for general category scallop vessels, on March 1, 2008, unless the schedule for scallop access areas is

modified by the New England Fishery Management Council.

#### **Classification**

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

This action closes the ETAA to all general category scallop vessels until February 29, 2008. The regulations at § 648.59(e)(4)(ii) allow such action to ensure that general category scallop vessels do not take more than their allocated number of trips in the ETAA. The ETAA opened for the 2007 fishing year at 0001 hours on March 1, 2007. Data indicating the general category scallop fleet has taken all of the ETAA trips have only recently become available. To allow general category scallop vessels to continue to take trips in the ETAA during the period necessary to publish and receive comments on a proposed rule would result in vessels taking much more than the allowed number of trips in the

ETAA. Excessive trips and harvest from the ETAA would result in excessive fishing effort in the ETAA, where effort controls are critical, thereby undermining conservation objectives of the FMP. Should excessive effort occur in the ETAA, future management measures would need to be more restrictive. Based on the above, under 5 U.S.C. 553(d)(3), proposed rulemaking is waived because it would be impracticable and contrary to the public interest to allow a period for public comment. Furthermore, for the same reasons, there is good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delayed effectiveness period for this action.

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

Dated: March 13, 2007.

**Alan D. Risenhoover,**

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

[FR Doc. 07-1304 Filed 3-13-07; 3:30 pm]

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