

[Revise heading of 11.0 as follows:]

### 11.0 Combining Automation and Nonautomation Flats in Bundles

[Delete 11.1 and renumber current 11.2 through 11.4 as new 11.1 through 11.3.]

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We will publish an appropriate amendment to 39 CFR part 111 to reflect these changes if our proposal is adopted.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. E9-2515 Filed 2-5-09; 8:45 am]

BILLING CODE 7710-12-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 253 and 600

[Docket No. 080228332-81199-01]

RIN 0648-AW38

#### Magnuson-Stevens Act Provisions; Interjurisdictional Fisheries Act; Disaster Assistance Programs; Fisheries Assistance Programs

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

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** NMFS extends the public comment period on the proposed rule to govern the requests for determinations of fishery resource disasters as a basis for acquiring potential disaster assistance. NMFS has received requests to extend the comment period for the proposed rule beyond its current 30-day comment period. The extension of the comment period for another 2 months is intended to ensure that NMFS provides adequate time for various stakeholders and other members of the public to comment on the proposed regulations to govern initiating and responding to requests for fisheries disaster assistance. The comment period of the January 15, 2009 (74 FR 2467) rule is extended from February 17, 2009, to April 20, 2009.

**DATES:** Comments must be submitted in writing on or before April 20, 2009.

**ADDRESSES:** You may submit comments, identified by 0648-AW38, by any one of the following methods:

- Electronic Submissions: Submit all electronic public comments via the Federal eRulemaking Portal: <http://www.regulations.gov>;

- Fax: 301-713-1193, Attn: Robert Gorrell;

- Mail: Alan Risenhoover, Director, NMFS Office of Sustainable Fisheries, Attn: Disaster Assistance Program Guidance and Procedures, 1315 East-West Highway, SSMC3, Silver Spring, MD 20910.

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 Alan Risenhoover at the above address and by email to [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov), or by fax to (202) 395-7285.

Instructions: All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

NMFS will accept anonymous comments (enter "N/A" in the required fields, if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

**FOR FURTHER INFORMATION CONTACT:**

Robert Gorrell, at 301-713-2341 or via e-mail at [robert.gorrell@noaa.gov](mailto:robert.gorrell@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

A proposed rule that sets forth NMFS' proposed regulations to govern requests for determinations of fishery resource disaster assistance was published in the **Federal Register** on January 15, 2009 (74 FR 2467), with a comment period ending date of February 17, 2009. The regulations would establish definitions, and characteristics of commercial fishery failures, fishery resource disasters, serious disruptions affecting future production, and harm incurred by fishermen, as well as requirements for initiating a review by NMFS, and the administrative process it will follow in processing such applications. The intended result of these procedures and requirements is to clarify and interpret the fishery disaster assistance provisions of the Magnuson-Stevens Fishery Conservation and Management Act and the Interjurisdictional Fisheries Act through rulemaking and thereby ensure consistency and facilitate the processing of requests.

After receiving requests to extend the comment period, NMFS has decided to extend it for another 62 days through April 20, 2009. This action extends the comment period for a proposed rule that

the Office of Management and Budget determined to be significant under Executive Order 12866.

**Authority:** 46 U.S.C. 1271-1279 and 16 U.S.C. 4101 *et seq.*

Dated: February 3, 2009.

**James W. Balsiger**

Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. E9-2587 Filed 2-5-09; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 0808041045-9006-01]

RIN 0648-AW64

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery off the Southern Atlantic States; Amendment 16

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

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

**SUMMARY:** NMFS issues this proposed rule to implement Amendment 16 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP)(Amendment 16), as prepared and submitted by the South Atlantic Fishery Management Council (Council). This proposed rule would establish a seasonal closure of the recreational and commercial fisheries for gag and associated grouper species; establish a seasonal closure of the recreational fishery for vermilion snapper; reduce the aggregate bag limit for grouper and tilefish; reduce the bag limit for gag or black grouper combined; reduce the bag limit for vermilion snapper; prohibit captain and crew of a vessel operating as a charter vessel or headboat from retaining any fish under the aggregate bag limit for grouper and tilefish or the vermilion snapper bag limit; establish semiannual quotas for the commercial vermilion snapper fishery; establish a quota for the commercial gag fishery; establish restrictions on the possession, sale, and purchase of gag and associated grouper species after the gag commercial quota is reached; and require possession of a venting tool and dehooking device on board a vessel when fishing for South Atlantic snapper-grouper and use of such tools as needed to accomplish