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This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

The Commission will send a copy of the *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional review Act, *see* 5 U.S.C. 801(a)(1)(A).

#### List of Subjects in 47 CFR Part 73

Television.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

#### PART 73—RADIO BROADCAST SERVICES

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

**Authority:** 47 U.S.C. 154, 303, 334, 336, and 339.

##### § 73.622 [Amended]

■ 2. Section 73.622(i), the Post-Transition Table of DTV Allotments under Georgia is amended by removing channel 51 and adding channel 31 at Rome.

[FR Doc. 2014-26991 Filed 11-14-14; 8:45 am]

**BILLING CODE 6712-01-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 224 and 226

[Docket No. 140930817-4817-01]

RIN 0648-XD533

#### Endangered and Threatened Wildlife and Plants; Technical Corrections for the Hawaiian Monk Seal

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

**ACTION:** Direct final rule.

**SUMMARY:** We, the National Marine Fisheries Service, announce the revised taxonomy of *Monachus schauinslandi* (Hawaiian monk seal) under the Endangered Species Act of 1973, as amended (ESA). We are revising the Enumeration of endangered marine and anadromous species and Critical habitat for Hawaiian monk seals to reflect the scientifically accepted taxonomy and nomenclature of this species. We revise the scientific name of the species as follows: *Neomonachus schauinslandi* (= *M. schauinslandi*).

**DATES:** This rule is effective January 16, 2015 without further action, unless significant adverse comment is received by December 17, 2014.

**ADDRESSES:** You may submit comments, information, or data on this document, identified by NOAA-NMFS-2014-0128, by any of the following methods:

- **Electronic Submissions:** Submit all electronic comments via the Federal eRulemaking Portal. Go to [www.regulations.gov/](http://www.regulations.gov/) #!docketDetail;D=NOAA-NMFS-2014-0128, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Regulatory Branch Chief, Protected Resources Division, Pacific Islands Regional Office, NMFS Protected Resources Division, 1845 Wasp Blvd., Building 176, Honolulu, HI 96818.

**Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by us. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (*e.g.*, name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will

be publicly accessible. We will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous), although submitting comments anonymously will prevent us from contacting you if we have difficulty retrieving your submission. Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

**FOR FURTHER INFORMATION CONTACT:** Jean Higgins, NMFS, Pacific Islands Regional Office, 808-725-5151; or Marta Nammack, NMFS, Office of Protected Resources (301) 427-8469.

#### SUPPLEMENTARY INFORMATION:

##### Purpose of This Rule

The purpose of our direct final rule is to notify the public that we are revising the Enumeration of endangered marine and anadromous species and the Critical habitat for Hawaiian monk seals to reflect the scientifically accepted taxonomy and nomenclature of one mammal species listed under section 4 of the ESA (16 U.S.C. 1531 *et seq.*). The changes to the Enumeration of endangered marine and anadromous species (50 CFR 224.101(h)) and Critical habitat for Hawaiian monk seals (50 CFR 226.201) reflect the most recently accepted scientific name in accordance with 50 CFR 224.101(e).

We are publishing this rule without prior proposal because this is a noncontroversial action that does not change the listing status of the species and, in the best interest of the regulated public, should be undertaken in as timely a manner as possible. This rule will be effective, as published in this document on the effective date specified in **DATES**, unless we receive significant adverse comments on or before the comment due date specified in **DATES**. Significant adverse comments are comments that provide strong justification as to why our rule should not be adopted or why it should be changed.

If we receive significant adverse comments, we will publish a document in the **Federal Register** withdrawing this rule before the effective date, and we will engage in the normal rulemaking process to promulgate these changes to 50 CFR 224.101 and 50 CFR 226.201.

##### Background

Under section 224.101(e) of title 50 of the Code of Federal Regulations (CFR) we use the most recently accepted scientific name of any species that we have determined to be an endangered or threatened species. Using the best available scientific information, our

direct final rule documents a taxonomic change (scientific name) to the Hawaiian monk seal (50 CFR 224.101(h); 226.201). The basis for the taxonomic change is supported by a published study in a peer-reviewed journal. We revise the scientific name of this species under section 4 of the ESA (16 U.S.C. 1531 *et seq.*) as follows: *Neomonachus schauinslandi* (= *Monachus schauinslandi*). We make this change to the Enumeration of endangered marine and anadromous species (50 CFR 224.101(h)) and to Critical habitat for Hawaiian monk seals (50 CFR 226.201) to reflect the most recently accepted scientific name in accordance with 50 CFR 224.101(e).

### Taxonomy Classification

#### *Neomonachus schauinslandi*

The scientific name change of *Neomonachus schauinslandi* (Hawaiian monk seal) from *Monachus schauinslandi* is supported by genetic, temporal, and morphological evidence (Scheel *et al.*, 2014), which indicates a closer relationship between the Hawaiian monk seal and *M. tropicalis* (Caribbean monk seal), as well as significant divergence between these two species and the endangered *M. monachus* (Mediterranean monk seal). For the first time, Scheel *et al.* (2014) used molecular data from Caribbean monk seal skins to better describe the relationship of this extinct species to the two living monk seal species (Mediterranean and Hawaiian). Phylogenetic analysis and divergence time estimation revealed that the Caribbean and Hawaiian monk seal species form a monophyletic clade and that the common ancestor of these two species likely diverged from the Mediterranean monk seal lineage over 6 million year ago (Scheel *et al.*, 2014). Morphological examinations of specimens of the three species also indicate distinctions between the Mediterranean monk seal and the Caribbean and Hawaiian species, which indicate variation in body size, pelage, dentition, as well as bone form and structure (Scheel *et al.*, 2014). The morphological distinctions and evolutionary divergence described by Scheel *et al.* (2014) is equivalent to or greater than levels of molecular and morphological divergence between other sister phocid genera, and recognition of the divergence between the two extant species better describes their evolutionary, ecomorphological,

and taxonomic uniqueness. Because the Caribbean and Hawaiian monk seal species form a monophyletic clade that has no previously proposed genus-level name, the generic name *Neomonachus* was prescribed by Scheel *et al.* (2014) as a reference to the new genus within the monk seals and its “New World” (Western Hemisphere) distribution. Within this newly recognized structure the genus species name of the Hawaiian monk seal and the Caribbean monk seal are *Neomonachus schauinslandi* and *Neomonachus tropicalis*, respectively.

These changes result in technical revisions to provisions related to monk seals in 50 CFR 224.101(h) and 226.201. The taxonomic change for the Hawaiian monk seal is catalogued in ZooBank, the official register for the International Commission on Zoological Nomenclature, and has been recognized by NMFS and will be incorporated into all new NMFS publications pertaining to the species. This species will continue to be listed as endangered and is subject to the same protections as existed prior to these changes, and no other aspect of the entry for this species in 50 CFR 224.101(h) will change as a result of this rule.

### Required Determinations

The Assistant Administrator for Fisheries finds that good cause exists to waive the requirement for prior notice and opportunity for public comment, pursuant to 5 U.S.C. 553(b)(B). Such procedures would be unnecessary as the taxonomic changes made in this rule are technical and reflect decisions already taken in the scientific community. This rule does not change the listing status of the Hawaiian monk seal under the ESA, and therefore does not alter the scope of the regulated community, or add any new requirements.

This action is not subject to review under Executive Order 12866. Because a general notice of proposed rulemaking is not required, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, are inapplicable.

This final rule does not contain policies with federalism implications under Executive Order 13132.

This rule does not contain any new collections of information that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). This rule will not impose recordkeeping or reporting requirements on State or local governments, individuals,

businesses, or organizations. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

This final rule simply makes taxonomic changes relative to a previous listing determination under the ESA, and does not change the listing status of the Hawaiian monk seal. Per NAO 216–6, section 6.03e, we have concluded that ESA listing determinations are exempt from the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*).

### References Cited

Scheel, D.M., *et al.*, 2014. Biogeography and taxonomy of extinct and endangered monk seals illuminated by ancient DNA and skull morphology. *ZooKeys*, 1.

### List of Subjects

#### 50 CFR Part 224

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

#### 50 CFR Part 226

Endangered and threatened species.

Dated: November 12, 2014.

#### Samuel D. Rauch III,

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

For the reasons set out in the preamble, we amend parts 224 and 226, subchapter C of chapter II, title 50 of the Code of Federal Regulations, as set forth below:

### PART 224—ENDANGERED MARINE AND ANADROMOUS SPECIES

- 1. The authority citation for part 224 continues to read as follows:

**Authority:** 16 U.S.C. 1531–1543 and 16 U.S.C. 1361 *et seq.*

- 2. Revise the Hawaiian monk seal entry under § 224.101(h) to read as follows:

#### § 224.101 Enumeration of endangered marine and anadromous species.

\* \* \* \* \*

(h) The endangered species under the jurisdiction of the Secretary of Commerce are:

| Species <sup>1</sup>  |  | Description of listed entity | Citation(s) for listing determination(s) | Critical habitat | ESA rules |
|-----------------------|--|------------------------------|--|------------------|-----------|
| Common name           | Scientific name  |                              |  |                  |           |
| <b>Marine Mammals</b> |  |                              |  |                  |           |
| * Seal, Hawaiian monk | * <i>Neomonachus schauinslandi</i><br>(= <i>Monachus schauinslandi</i> ) | * Entire Species .....       | * 41 FR 51611, Nov 23, 1976.             | * 226.201        | * NA      |

<sup>1</sup> Species includes taxonomic species, subspecies, distinct population segments (DPSs) (for a policy statement, see 61 FR 4722, February 7, 1996), and evolutionarily significant units (ESUs) (for a policy statement, see 56 FR 58612, November 20, 1991).

**PART 226—DESIGNATED CRITICAL HABITAT**

■ 3. The authority citation for part 226 continues to read as follows:

**Authority:** 16 U.S.C. 1533.

■ 4. Revise the heading of the Hawaiian monk seal entry under § 226.201 to read as follows:

**§ 226.201 Critical habitat for Hawaiian monk seals.**

**HAWAIIAN MONK SEAL**

(*Neomonachus schauinslandi*  
(=*Monachus schauinslandi*))

\* \* \* \* \*

[FR Doc. 2014-27181 Filed 11-14-14; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 622**

[Docket No. 120924488-3671-02]

**RIN 0648-XD599**

**Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; 2014 Commercial Accountability Measure and Closure for South Atlantic Gag**

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

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS implements accountability measures (AMs) for the commercial sector for gag in the exclusive economic zone (EEZ) of the South Atlantic. Commercial landings for gag, as estimated by the Science Research Director, are projected to reach the commercial annual catch limit (ACL). Therefore, NMFS closes the commercial sector for gag in the South

Atlantic EEZ on November 21, 2014, for the remainder of the 2014 fishing year, through December 31, 2014. This action is necessary to protect the South Atlantic gag resource.

**DATES:** This rule is effective 12:01 a.m., local time, November 21, 2014, until 12:01 a.m., local time, January 1, 2015.

**FOR FURTHER INFORMATION CONTACT:** Catherine Hayslip, telephone: 727-824-5305, email: *catherine.hayslip@noaa.gov*.

**SUPPLEMENTARY INFORMATION:** The snapper-grouper fishery of the South Atlantic, which includes gag, is managed under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP). The FMP was prepared by the South Atlantic Fishery Management Council and is implemented under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

The commercial ACL or commercial quota (quota) for gag in the South Atlantic is 326,722 lb (148,199 kg), gutted weight, for the current fishing year, as specified in 50 CFR 622.190(a)(7).

In accordance with regulations at 50 CFR 622.193(c)(1), NMFS is required to close the commercial sector for gag when the quota has been reached, or is projected to be reached, by filing a notification to that effect with the Office of the Federal Register. NMFS has projected that the quota for South Atlantic gag will be reached on November 21, 2014. Accordingly, the commercial sector for South Atlantic gag is closed effective 12:01 a.m., local time, November 21, 2014, until 12:01 a.m., local time, January 1, 2015. The recreational sector will continue to remain open through December 31, 2014.

Additionally, a seasonal closure is in place for the recreational and commercial sectors for gag from January

through April each year as specified in 50 CFR 622.183(b)(1). During the seasonal closure, no person may fish for, harvest, or possess any gag in or from the South Atlantic EEZ. Therefore, the 2015 commercial gag season will not start until May 1, 2015.

The operator of a vessel with a valid commercial vessel permit for South Atlantic snapper-grouper having gag onboard must have landed and bartered, traded, or sold such gag prior to 12:01 a.m., local time, November 21, 2014. During this commercial closure, the bag limit and possession limits specified in 50 CFR 622.187(b)(2)(i) and (c)(1), respectively, apply to all harvest or possession of gag in or from the South Atlantic EEZ, and the sale or purchase of gag taken from the EEZ is prohibited. The prohibition on sale or purchase does not apply to the sale or purchase of gag that were harvested, landed ashore, and sold prior to 12:01 a.m., local time, November 21, 2014, and were held in cold storage by a dealer or processor. For a person on board a vessel for which NMFS has issued a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper species, the sale and purchase provisions of the commercial closure and the bag and possession limits apply regardless of whether the fish are harvested in state or Federal waters, as specified in 50 CFR 622.190(c)(1).

**Classification**

The Regional Administrator, Southeast Region, NMFS, has determined this temporary rule is necessary for the conservation and management of South Atlantic gag and is consistent with the Magnuson-Stevens Act and other applicable laws.

This action is taken under 50 CFR 622.193(c)(1) and is exempt from review under Executive Order 12866.

These measures are exempt from the procedures of the Regulatory Flexibility Act because the temporary rule is issued