

73. The rules adopted herein will become effective January 22, 2015, except for §§ 73.3700(b)(1)(iv)(B), 73.3700(b)(2)(i) introductory text, and 73.3700(b)(2)(ii) of the rules which contain new or modified information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13, that are not effective until approved by the Office of Management and Budget (OMB). The Federal Communications Commission will publish a document in the **Federal Register** announcing OMB approval and the effective date of this rule.

74. The Commission’s Consumer and Governmental Affairs Bureau, Reference Information Center, shall send a copy of this *Second Report and Order* in GN Docket No. 12–268, including the Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

75. The Commission shall send a copy of this *Second Report and Order* in GN Docket No. 12–268 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

Communications equipment, Education, Reporting and recordkeeping requirements.

Federal Communications Commission.

Marlene H. Dortch,
Secretary.

Final Rules

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.

■ 2. Section 73.3700 is amended by revising paragraphs (b)(1)(iv), (b)(2)(i) introductory text, and (b)(2)(ii) to read as follows:

§ 73.3700 Post-incentive auction licensing and operation.

* * * * *

(b) * * *

(1) * * *

(iv) *Priority filing window.* (A) The licensee of a reassigned station, a UHF-to-VHF station, or a High-VHF-to-Low-VHF station that, for reasons beyond its control, is unable to construct facilities that meet the technical parameters

specified in the Channel Reassignment Public Notice, or the permissible contour coverage variance from those technical parameters specified in paragraph (b)(1)(ii) or (iii) of this section, may request a waiver of the construction permit application deadline specified in paragraph (b)(1)(i) no later than 30 days prior to the deadline. If its waiver request is granted, the licensee will be afforded an opportunity to submit an application for a construction permit pursuant to paragraph (b)(2)(i) or (ii) of this section in a priority filing window to be announced by the Media Bureau by public notice.

(B) The licensee of any broadcast television station that the Commission makes all reasonable efforts to preserve pursuant to section 6403(b)(2) of the Spectrum Act that is predicted to experience aggregate new interference to population served in excess of one percent as a result of the repacking process will be afforded an opportunity to submit an application for a construction permit pursuant to paragraph (b)(2)(i) or (ii) of this section in the priority filing window required by paragraph (b)(1)(iv)(A).

* * * * *

(2) * * *

(i) *Alternate channels.* The licensee of a reassigned station, a UHF-to-VHF station, a High-VHF-to-Low-VHF station, or a broadcast television station described in paragraph (b)(1)(iv)(B) of this section will be permitted to file a major change application for a construction permit for an alternate channel on FCC Form 301, 301–CA, or 340 during a filing window to be announced by the Media Bureau by public notice, provided that:

* * * * *

(ii) *Expanded facilities.* The licensee of a reassigned station, a UHF-to-VHF station, a High-VHF-to-Low-VHF station, or a broadcast television station described in paragraph (b)(1)(iv)(B) of this section will be permitted to file a minor change application for a construction permit on FCC Form 301, 301–CA, or 340 during a filing window to be announced by the Media Bureau by public notice, in order to request a change in the technical parameters specified in the Channel Reassignment Public Notice (or, in the case of a broadcast television station described in paragraph (b)(1)(iv)(B) that is not reassigned to a new channel, a change in its authorized technical parameters) with respect to height above average terrain (HAAT), effective radiated power (ERP), or transmitter location that would be considered a minor change under

§§ 73.3572(a)(1),(2) or 74.787(b) of this chapter.

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[FR Doc. 2014–29687 Filed 12–22–14; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[Docket No. 130904784–4999–02]

RIN 0648–BD67

Fisheries Off West Coast States; List of Authorized Fisheries and Gear

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

ACTION: Final rule.

SUMMARY: This action updates the Federal list of authorized fisheries and gear issued under section 305(a) of the Magnuson-Stevens Fishery Conservation and Management Act (“List of Fisheries”). The List of Fisheries includes a description of fisheries that operate in the U.S. West Coast Exclusive Economic Zone (EEZ), the Pacific Fishery Management Council’s (Council’s) geographic area of authority. This action is necessary because the current list is outdated and either includes several fisheries that no longer occur, or does not include fisheries that do occur, within the U.S. West Coast EEZ. This rule would bring the list up to date with current West Coast fisheries and fishery management plans (FMPs).

DATES: Effective January 22, 2015.

ADDRESSES: Additional requests for information regarding this action may be obtained by contacting the Sustainable Fisheries Division, NMFS West Coast Region, 7600 Sand Point Way NE., Seattle, WA 98115. This final rule also is accessible via the Internet at the Federal eRulemaking portal at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Yvonne deReynier, 206–526–6129, (fax) 206–526–6736, Yvonne.deReynier@noaa.gov; Joshua Lindsay, 562–980–4034, 562–980–4047, Joshua.Lindsay@noaa.gov.

SUPPLEMENTARY INFORMATION: Section 305(a) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires that the Secretary of Commerce maintain a list of all fisheries operating in the U.S. EEZ and all fishing

gear used in such fisheries (16 U.S.C. 1855(a)). This section of the MSA further prohibits any person or vessel from employing fishing gear or engaging in a fishery not included on the List of Fisheries “without giving 90 days advance written notice to the appropriate Council.” Fishery management councils are authorized to submit changes to the list to the Secretary of Commerce as each council deems appropriate, after which the Secretary must publish a revised list after providing notice of the changes to the public and after providing an opportunity for public comment on those changes (16 U.S.C. 1855(a)(4)). On August 7, 2014 (79 FR 46214), NMFS published a proposed rule to update 50 CFR 600.725(v), Section VI, the section of the List of Fisheries that applies to fisheries occurring within the U.S. West Coast EEZ. The Council recommended revising and updating the List of Fisheries at its September 2013 meeting, after reviewing all of the fisheries occurring within the West Coast EEZ and after taking comments from West Coast states, tribes and members of the public. Through this final rule, NMFS implements the Council’s recommended revisions to the List of Fisheries, with no changes or edits. The regulatory text published in the proposed rule for this action has not been changed for this final rule.

Comments and Responses

In the proposed rule, NMFS solicited public comment through September 8, 2014. During the comment period, NMFS received two letters of comment. One letter of comment, received from a member of the public, requested that the Council update the northern anchovy stock assessment. The proposed rule to update the List of Fisheries does not address the northern anchovy stock assessment; therefore, that letter is not relevant to this action.

Comment: NMFS received a letter from an environmental non-government entity providing qualified support for the rule, but expressing concern that with the proposed revisions, the List of Fisheries is still not narrow enough to ensure that the Council will be notified if anyone attempts to develop a new fishery on currently unfished squid species (Line 10 of Section VI at 50 CFR 600.725(v)) or on those finfish and invertebrate not explicitly listed in Lines 1–18 of Section VI (See Line 19 of Section VI at 50 CFR 600.725(v)). This commenter also suggested that the Council review and update the List of Fisheries on a regular basis, as part of its reviews of its Fishery Ecosystem Plan.

Response: The Council’s recommended revisions to the List of Fisheries, published in the proposed rule and implemented in this final rule, update the previously broad and outdated List of Fisheries. NMFS disagrees with the commenter’s assertion that the revised List of Fisheries is overly broad at Lines 10 and 19. Line 10, which addresses squid species other than market squid (*Doryteuthis opalescens*) and octopus, is intended to include all existing fisheries for those species groups. There are some West Coast cephalopod harvests other than in the market squid fishery, particularly in those years that populations of certain squid species (e.g. *Dosidicus gigas*, Humboldt squid) appear in the EEZ in unpredictably significant quantities. Without Line 10 of Section VI at 50 CFR 600.725(v), the List of Fisheries could exclude existing cephalopod fisheries, which would be contrary to the purpose of the List of Fisheries to include existing fisheries.

Line 19 of Section VI at 50 CFR 600.725(v) covers all finfish and invertebrate fisheries not listed in the rest of the table at Section VI and not otherwise prohibited. Line 19 is to be read in the context of the rest of Section VI of the List of Fisheries, which details all of the major federal and state fisheries that occur within the West Coast EEZ. To prepare this rulemaking, the Council, NMFS, and West Coast states and tribes, carefully reviewed recent and historic commercial landings data from the Pacific States Marine Fisheries Commission’s Pacific Fisheries Information Network (PacFIN), as well as Federal and state recreational fisheries gear requirements and data. As explained in the preamble to the proposed rule for this action, the Council’s intent in developing its revisions to the List of Fisheries was to define existing fisheries in as narrow terms as possible, but the Council did not intend to eliminate any existing fisheries, including fisheries that might only occur during years when West Coast climate conditions were conducive to certain species occurring in greater than usual amounts. Lines 1 through 18 of the table at Section VI provide a significantly detailed list of West Coast existing commercial and recreational fisheries. Line 19 ensures that existing small or intermittent commercial and recreational fisheries are not unintentionally thwarted by failure to include them on the List of Fisheries.

The MSA does not intend the List of Fisheries as a tool to prohibit fishing, but rather as a tool to ensure that the Council is formally notified by fisheries

participants intending to begin new fisheries. The Council is in the process of developing a comprehensive, multi-FMP amendment to prohibit the development of commercial fisheries for a broad group of currently unfished forage fish species, including those squid species mentioned by the commenter. Should anyone begin targeting and landing currently unfished forage species between now and the completion of the comprehensive FMP amendment, the West Coast state, tribal, and federal agencies and the Council will be notified via PacFIN landings data.

NMFS appreciates the commenter’s suggestion that Section VI of the List of Fisheries be reviewed and updated on a regular basis and as a part of the Council’s FEP review process. The Council is next scheduled to begin reviewing and updating the FEP in 2018 and NMFS will both pass that suggestion on to the Council and will preserve the commenter’s suggestion in the agency’s planning file for that review process.

Classification

Pursuant to section 304(b)(1)(A) of the MSA, the NMFS Assistant Administrator has determined that this final rule is consistent with the four U.S. West Coast FMPs, other provisions of the MSA, and other applicable law.

This final rule has been determined to be not significant for purposes of Executive Order 12866.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration during the proposed rule stage that this action would not have a significant economic impact on a substantial number of small entities. The factual basis for the certification was published in the proposed rule and is not repeated here. No comments were received regarding this certification. As a result, a regulatory flexibility analysis was not required and none was prepared.

This final rule was developed after meaningful collaboration, through the Council process, with the tribal representative on the Council. NMFS is not aware of any Treaty Indian tribe or subsistence fisheries in the EEZ other than those listed in § 600.725(v). This action does not supersede or otherwise affect exemptions that exist for Treaty Indian fisheries.

List of Subjects in 50 CFR Part 600

Administrative practice and procedure, Fisheries, Fishing vessels, Marine resources.

Dated: December 16, 2014.
Samuel D. Rauch III,
*Deputy Assistant Administrator for
 Regulatory Programs, National Marine
 Fisheries Service.*

For the reasons discussed in the preamble, 50 CFR part 600 is amended as follows:

PART 600—MAGNUSON-STEVENS ACT PROVISIONS

■ 1. The authority citation for part 600 continues to read as follows:

Authority: 5 U.S.C. 561 and 16 U.S.C. 1801 *et seq.*

■ 2. In § 600.725, in paragraph (v), Section VI of the table is revised to read as follows:

§ 600.725 General prohibitions.

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(v) * * *

Fishery	Authorized gear types
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VI. Pacific Fishery Management Council

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| <p>1. Pacific Coast Salmon Fisheries (FMP):</p> <p style="padding-left: 20px;">A. Commercial</p> <p style="padding-left: 20px;">B. Recreational</p> <p>2. Pacific Coast Groundfish Fisheries (FMP):</p> <p style="padding-left: 20px;">A. Commercial</p> <p style="padding-left: 20px;">B. Recreational</p> <p>3. Coastal Pelagic Species Fisheries (FMP):</p> <p style="padding-left: 20px;">A. Commercial</p> <p style="padding-left: 20px;">B. Recreational</p> <p>4. Highly Migratory Species Fisheries (FMP):</p> <p style="padding-left: 20px;">A. Commercial</p> <p style="padding-left: 20px;">B. Recreational</p> <p>5. Pacific Halibut Fisheries (Non-FMP):</p> <p style="padding-left: 20px;">A. Commercial</p> <p style="padding-left: 20px;">B. Recreational</p> <p>6. Dungeness Crab Fisheries (Non-FMP):</p> <p style="padding-left: 20px;">A. Commercial</p> <p style="padding-left: 20px;">B. Recreational North of 46°15' N. lat</p> <p style="padding-left: 20px;">C. Recreational South of 46°15' N. lat. and North of 42° N. lat</p> <p style="padding-left: 20px;">D. Recreational South of 42° N. lat</p> <p>7. Crab Fisheries for Species other than Dungeness crab (Non-FMP):</p> <p style="padding-left: 20px;">A. Commercial Pot/Trap Fisheries South of 46°15' N. lat</p> <p style="padding-left: 20px;">B. Recreational North of 46°15' N. lat</p> <p style="padding-left: 20px;">C. Recreational South of 46°15' N. lat. and North of 42° N. lat</p> <p style="padding-left: 20px;">D. Recreational South of 42° N. lat</p> <p>8. Shrimp and Prawn Fisheries (Non-FMP):</p> <p style="padding-left: 20px;">A. Commercial spot prawn</p> <p style="padding-left: 20px;">B. Commercial pink shrimp North of 46°15' N. lat</p> <p style="padding-left: 20px;">C. Commercial pink shrimp South of 46°15' N. lat</p> <p style="padding-left: 20px;">D. Commercial coonstripe shrimp South of 46°15' N. lat</p> <p style="padding-left: 20px;">E. Commercial ridgeback prawn South of 42° N. lat</p> <p style="padding-left: 20px;">F. Recreational North of 46°15' N. lat</p> <p style="padding-left: 20px;">G. Recreational South of 46°15' N. lat. and North of 42° N. lat</p> <p style="padding-left: 20px;">H. Recreational South of 42° N. lat</p> <p>9. Hagfish Commercial Fisheries (Non-FMP)</p> <p>10. Squid, all spp. except market squid or not otherwise prohibited, and Octopus Fisheries (Non-FMP):</p> <p style="padding-left: 20px;">A. Commercial</p> <p style="padding-left: 20px;">B. Recreational Squid North of 42° N. lat</p> <p style="padding-left: 20px;">C. Recreational Octopus North of 42° N. lat</p> <p style="padding-left: 20px;">D. Recreational South of 42° N. lat</p> <p>11. White Sturgeon Fisheries (Non-FMP):</p> <p style="padding-left: 20px;">A. Commercial South of 46°15' N. lat. and North of 42° N. lat</p> <p style="padding-left: 20px;">B. Recreational North of 42° N. lat</p> <p style="padding-left: 20px;">C. Recreational South of 42° N. lat</p> <p>12. Sea Cucumber Fishery (Non-FMP):</p> <p style="padding-left: 20px;">A. Commercial hand harvest fishery South of 46°15' N. lat</p> <p style="padding-left: 20px;">B. Commercial trawl South of 42° N. lat</p> <p>13. Minor Finfish Commercial Fisheries South of 46°15' N. lat. and North of 42° N. lat. for: Salmon shark, Pacific pomfret, slender sole, wolf-eel, eelpout species, Pacific sandfish, skilfish, and walleye pollock Fisheries (Non-FMP).</p> <p>14. Weathervane Scallop Commercial Fishery South of 46°15' N. lat. and North of 42° N. lat. (Non-FMP).</p> | <p>A. Hook and line.</p> <p>B. Hook and line.</p> <p>A. Trawl, hook and line, pot/trap, demersal seine, set net, spear, and hand collection.</p> <p>B. Hook and line, spear.</p> <p>A. Purse seine, lampara net, brail net, dip net, cast net, hook and line.</p> <p>B. Hook and line, spear, pot/trap, dip net, cast net, hand harvest, rake, harpoon, bow and arrow.</p> <p>A. Hook and line, gillnet, harpoon, purse seine.</p> <p>B. Hook and line, spear, harpoon, bow and arrow.</p> <p>A. Hook and line.</p> <p>B. Hook and line, spear.</p> <p>A. Pot/trap.</p> <p>B. Pot/trap, dip net, hand harvest.</p> <p>C. Pot/trap, hook and line, dip net, hand harvest, rake, crab loop.</p> <p>D. Pot/trap, hand harvest, hoop net, crab loop.</p> <p>A. Pot/trap.</p> <p>B. Pot/trap, dip net, hand harvest.</p> <p>C. Pot/trap, hook and line, dip net, hand harvest, rake, crab loop.</p> <p>D. Pot/trap, hand harvest, hoop net, crab loop.</p> <p>A. Pot/trap.</p> <p>B. Trawl.</p> <p>C. Pot/trap, trawl.</p> <p>D. Pot/trap.</p> <p>E. Trawl.</p> <p>F. Pot/trap, dip net, hand harvest.</p> <p>G. Pot/trap, hook and line, dip net, hand harvest, rake.</p> <p>H. Pot/trap, hand harvest, dip net.</p> <p>Pot/trap.</p> <p>A. Hook and line, pot/trap, dip net, seine, trawl, set net, spear, hand harvest.</p> <p>B. Hook and line, cast net, dip net, hand harvest.</p> <p>C. Hook and line, pot/trap, dip net, hand harvest.</p> <p>D. Hook and line, dip net, hand harvest.</p> <p>A. Trawl, pot/trap, hook and line, seine, dip net, spear.</p> <p>B. Hook and line.</p> <p>C. Hook and line, spear.</p> <p>A. Hand harvest.</p> <p>B. Trawl.</p> <p>Trawl, pot/trap, hook and line, seine, dipnet, spear.</p> <p>Trawl.</p> |
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Fishery	Authorized gear types
15. California Halibut, White Seabass Commercial Fisheries South of 42° N. lat. (Non-FMP):	
A. California halibut trawl	A. Trawl.
B. California halibut and white seabass set net	B. Gillnet, trammel net.
C. California halibut hook and line	C. Hook and line.
D. White seabass hook and line	D. Hook and line.
16. California Barracuda, White Seabass, and Yellowtail Drift-Net Commercial Fishery South of 42° N. lat. (Non-FMP).	Gillnet.
17. Pacific Bonito Commercial Net Fishery South of 42° N. lat. (Non-FMP)	Purse seine.
18. Lobster Commercial Pot and Trap Fishery South of 42° N. lat. (Non-FMP)	Pot/trap.
19. Finfish and Invertebrate Fisheries Not Listed Above and Not Otherwise Prohibited (Non-FMP):	
A. Commercial South of 46°15' N. lat	A. Hook and line, pot/trap, spear.
B. Recreational	B. Hook and line, spear, pot/trap, dip net, cast net, hand harvest, rake, harpoon, bow and arrow.

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[FR Doc. 2014–30014 Filed 12–22–14; 8:45 am]
 BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 121009528–2729–02]

RIN 0648–XD656

Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer

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

ACTION: Temporary rule; quota transfer.

SUMMARY: NMFS announces that the State of Maine is transferring a portion of its 2014 commercial summer flounder quota to the State of Connecticut. NMFS is adjusting the quotas and announcing the revised commercial quota for each state involved.

DATES: Effective December 18, 2014, through December 31, 2014.

FOR FURTHER INFORMATION CONTACT: Reid Lichwell, Fishery Management Specialist, 978–281–9112.

SUPPLEMENTARY INFORMATION: Regulations governing the summer flounder fishery are in 50 CFR part 648, and require annual specification of a commercial quota that is apportioned among the coastal states from North Carolina through Maine. The process to set the annual commercial quota and the percent allocated to each state are described in § 648.102.

The final rule implementing Amendment 5 to the Summer Flounder,

Scup, and Black Sea Bass Fishery Management Plan, which was published on December 17, 1993 (58 FR 65936), provided a mechanism for summer flounder quota to be transferred from one state to another. Two or more states, under mutual agreement and with the concurrence of the Administrator, Greater Atlantic Region, NMFS (Regional Administrator), can transfer or combine summer flounder commercial quota under § 648.102(c)(2). The Regional Administrator is required to consider the criteria in § 648.102(c)(2)(i) to evaluate requests for quota transfers or combinations.

Maine has agreed to transfer 4,900 lb (2,222.6 kg) of its 2014 commercial quota to Connecticut. The quota transfer from Maine to Connecticut was prompted by the diligent efforts of state officials in Connecticut not to exceed the commercial summer flounder quota. This quota transfer is conditioned. In the event that landings of summer flounder occur in Maine during the remaining months of 2014 resulting in an overage of Maine’s summer flounder commercial quota as a result of this transfer, Connecticut has agreed to transfer 2015 summer flounder quota to Maine sufficient to cover the overage. The Regional Administrator has determined that the criteria set forth in § 648.102(c)(2)(i) have been met. The revised summer flounder commercial quotas for calendar year 2014 are: Maine, 98 lb (44.45 kg); and Connecticut, 242,106 lb (109,817.4 kg).

Classification

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

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

Dated: December 18, 2014.
Emily H. Menashes,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
 [FR Doc. 2014–30032 Filed 12–18–14; 4:15 pm]
 BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 130925836–4174–02]

RIN 0648–XD654

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska

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 50 feet (15.2 meters (m)) length overall (LOA) using hook-and-line gear in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the 2014 Pacific cod total allowable catch apportioned to catcher vessels less than 50 feet (15.2 m) LOA using hook-and-line gear in the Central Regulatory Area of the GOA.

DATES: Effective 1200 hours, Alaska local time (A.l.t.), December 18, 2014, through 2400 hours, A.l.t., December 31, 2014.

FOR FURTHER INFORMATION CONTACT: Obren Davis, 907–586–7228.