

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 13–1603; MB Docket No. 13–23; RM–11690]

**Radio Broadcasting Services; Pearsall, Texas****AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

**SUMMARY:** The Audio Division, at the request of Bryan King (“petitioner”), deletes FM Channel 227A and allots FM Channel 277A at Pearsall, Texas. Channel 277A can be allotted at Pearsall, consistent with the minimum distance separation requirements of the Commission’s rules, at coordinates 28–56–40 NL and 99–11–44 WL, with a site restriction of 11.4 km (7.1 miles) northwest of the community. The Government of Mexico has concurred with the allotment of Channel 277A at Pearsall, which is located within 320 kilometers (199 miles) of the U.S.-Mexican border. See Supplementary Information *infra*.

**DATES:** Effective November 20, 2014, and applicable September 2, 2013.**FOR FURTHER INFORMATION CONTACT:** Deborah Dupont, Media Bureau, (202) 418–2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission’s *Report and Order*, MB Docket No. 13–23, adopted July 18, 2013, and released July 19, 2013. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC 20554. The complete text of this decision also may be purchased from the Commission’s duplicating contractor, Best Copy and Printing, Inc., 445 12th Street SW., Room CY–B402, Washington, DC, 20554, (800) 378–3160, or via the company’s Web site, [www.bcpiweb.com](http://www.bcpiweb.com). 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). The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the

Congressional Review Act, see U.S.C. 801(a)(1)(A).

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

Radio, Radio broadcasting.  
Federal Communications Commission.  
**Nazifa Sawez,**  
*Assistant Chief, Audio 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.

**§ 73.202 [Amended]**

■ 2. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 227A at Pearsall; and by adding Channel 277A at Pearsall.

[FR Doc. 2014–27536 Filed 11–19–14; 8:45 am]

**BILLING CODE** 6712–01–P**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 622**

[Docket No. 140722613–4908–02]

**RIN 0648–BE31****Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region; Framework Amendment 1**

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

**ACTION:** Final rule.

**SUMMARY:** NMFS issues this final rule to implement management measures described in a framework amendment to the Fishery Management Plan for the Coastal Migratory Pelagic (CMP) Resources in the Gulf of Mexico and Atlantic Region (FMP) (Framework Amendment 1), as prepared and submitted by the South Atlantic and Gulf of Mexico Fishery Management Councils (Councils). This rule modifies the annual catch limits (ACLs) for Atlantic and Gulf of Mexico (Gulf) migratory groups of Spanish mackerel and modifies the recreational annual

catch target (ACT) for Atlantic migratory group Spanish mackerel, based on the results of the most recent stock assessments for these stocks. Framework Amendment 1 also specifies the optimum yield and acceptable biological catch (ABC) estimates for Atlantic and Gulf migratory groups of Spanish mackerel. The purpose of this rule is to update ACLs based on the best scientific information available and to ensure overfishing does not occur for the Spanish mackerel resources in the Atlantic and Gulf.

**DATES:** This rule is effective December 22, 2014.

**ADDRESSES:** Electronic copies of the Framework Amendment, which includes an environmental assessment, a regulatory flexibility act analysis and a regulatory impact review, may be obtained from the Southeast Regional Office Web site at <http://sero.nmfs.noaa.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Karla Gore, telephone: 727–824–5305, or email: [karla.gore@noaa.gov](mailto:karla.gore@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The CMP fishery of the South Atlantic and the Gulf is managed under the FMP. The FMP was prepared by the Councils and implemented through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

On July 31, 2014, NMFS published a proposed rule for Framework Amendment 1 and requested public comment (79 FR 44369). The proposed rule and Framework Amendment 1 outline the rationale for the actions contained in this final rule. A summary of the actions implemented by this final rule is provided below.

**Management Measures Contained in This Final Rule**

This final rule revises the stock ACLs for Atlantic and Gulf migratory groups of Spanish mackerel, based on the results of the most recent assessments and the ABC recommendations by the Councils’ Scientific and Statistical Committees (SSCs). Additionally, this final rule revises the commercial and recreational ACLs (based on previously determined sector allocations), the recreational ACT, and the adjusted commercial quota for Atlantic migratory group Spanish mackerel, based on the revised commercial ACL (commercial quota).

*Revise Commercial and Recreational ACLs, and Recreational ACT for Atlantic Migratory Group Spanish Mackerel*

This final rule revises the stock ACL for Atlantic Migratory group Spanish mackerel to 6.063 million lb (2.750 million kg) and allocates the revised ACL based on the previously determined allocation distribution of 55 percent to the commercial sector and 45 percent to the recreational sector. Therefore, this final rule increases the commercial ACL (equal to the commercial quota) for Atlantic migratory group Spanish mackerel to 3.33 million lb (1.51 million kg) and the recreational ACL to 2.727 million lb (1.236 million kg). The recreational ACT increases to 2.364 million lb (1.072 million kg).

*Revise Adjusted Quota for Atlantic Migratory Group Spanish Mackerel*

This final rule revises the adjusted commercial quota for Atlantic migratory group Spanish mackerel from 2.88 million (1.31 million kg) to 3.08 million lb (1.40 million kg), based on the increase of the commercial ACL (commercial quota) for Atlantic migratory group Spanish mackerel. The adjusted quota is the quota for Atlantic migratory group Spanish mackerel reduced by an amount calculated to allow continued harvests of Atlantic migratory group Spanish mackerel at the rate of 500 lb (227 kg) per vessel per day for the remainder of the fishing year after the adjusted quota is reached. Total commercial harvest is still subject to the ACL and an in-season closure when landings are projected to reach the ACL.

*Revise Stock ACL for Gulf Migratory Group Spanish Mackerel*

This final rule increases the stock ACL for Gulf migratory group Spanish mackerel to 12.7 million lb (5.76 million kg) for the 2014–2015 fishing year, 11.8 million lb (5.35 million kg) for the 2015–2016 fishing year, and 11.3 million lb (5.13 million kg) for the 2016–2017 fishing year and subsequent fishing years.

*Additions to Codified Text*

This final rule also includes additions to the introductory paragraphs for the CMP Quotas and ACLs/AMs/ACTs sections (50 CFR 622.384 and 50 CFR 622.388) to include language that all weights are in round and eviscerated weight combined, unless specified otherwise. This language is added to clarify that the quotas, ACLs, and ACTs are established using landings that are documented in both round weight

(whole weight) and eviscerated weight (gutted weight).

**Comments and Responses**

NMFS received a total of eight comment letters on the proposed rule, which include comments from a Federal agency, private citizens, recreational fishermen, and commercial fishermen. The Federal agency stated it had no comments. Two comments were received in support of the proposed rule. Specific comments on the proposed rule and NMFS' respective responses are summarized below.

*Comment 1:* There is no need to increase the harvest of Spanish mackerel. A precautionary approach should be used and catch should be maintained at current levels.

*Response:* NMFS disagrees that catch should be maintained at current levels. The increased catch levels are expected to enhance social and economic benefits to fishermen and fishing communities that utilize the Atlantic and Gulf Spanish mackerel migratory groups, while having no negative impacts on the stocks. Based on the most recent Southeast Data, Assessment, and Review (SEDAR) stock assessments for Gulf and Atlantic Spanish mackerel the Councils' SSCs determined that the catch levels for Atlantic and Gulf Spanish mackerel could be increased without negatively impacting the stocks. The stock assessment results indicated that the stocks are healthy and the SSCs established a buffer between the ABCs and the overfishing levels to account for scientific uncertainty. The Southeast Fisheries Science Center concluded that the increased ABCs and ACLs for Atlantic and Gulf migratory groups of Spanish mackerel are based upon the best scientific information available.

*Comment 2:* Increasing the harvest of Spanish mackerel could result in an increase in bycatch of ladyfish, bluefish, and other species in the northern Gulf.

*Response:* NMFS disagrees that increasing catch levels for the Atlantic and Gulf migratory groups of Spanish mackerel will result in increased bycatch. A bycatch practicability analysis was included in Framework Amendment 1 and indicates that the Spanish mackerel portion of the CMP fishery has relatively low levels of bycatch. The analysis concludes that these low levels of bycatch are not expected to change as a result of implementation of the amendment.

*Comment 3:* The recreational sector allocation for Atlantic migratory group Spanish mackerel should be set equal to the commercial sector allocation.

*Response:* Framework Amendment 1 and this final rule do not address the

sector allocations for Atlantic migratory group Spanish mackerel that were established in 1999 (64 FR 45457) and this comment is therefore beyond the scope of this rule.

*Comment 4:* One comment states that the recreational bag limit for Atlantic migratory group Spanish mackerel should not be increased from 10 fish per person per day to 15 fish per person per day. Another comment indicates the bag limit for Atlantic migratory group Spanish mackerel should be reduced from 15 fish per person per day to 10 fish per person per day.

*Response:* Framework Amendment 1 and this final rule do not address the recreational bag limit for Spanish mackerel and this comment is therefore beyond the scope of this rule.

*Comment 5:* With the increase in the ACL, the minimum size limit for Gulf migratory group Spanish mackerel should be increased from 12 inches (30.5 cm) fork length (FL) to 15 inches (38.1 cm) FL. Most of the fish caught are larger than 15 inches (38.1 cm) total length.

*Response:* Framework Amendment 1 and this final rule do not address the minimum size limit for Gulf migratory group Spanish mackerel and this comment is therefore beyond the scope of this rule.

**Classification**

The Regional Administrator, Southeast Region, NMFS, has determined that this final rule is necessary for the conservation and management of Atlantic and Gulf migratory groups of Spanish mackerel and is consistent with Framework Amendment 1, the FMP, the Magnuson-Stevens Act 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 this certification was published in the proposed rule and is not repeated here. No comments were received regarding the certification and NMFS has not received any new information that would affect its determination. No changes to the final rule were made in response to public comments. As a result, a regulatory flexibility analysis was not required and none was prepared.

**List of Subjects in 50 CFR Part 622**

Annual catch limit, Annual catch target, Fisheries, Fishing, Gulf, Quotas, South Atlantic, Spanish mackerel.

Dated: November 4, 2014.

**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 622 is amended as follows:

**PART 622—FISHERIES OF THE CARIBBEAN, GULF OF MEXICO, AND SOUTH ATLANTIC**

■ 1. The authority citation for part 622 continues to read as follows:

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

■ 2. In § 622.384, a sentence is added at the end of the introductory text and paragraph (c)(2) is revised to read as follows:

**§ 622.384 Quotas.**

\* \* \* All weights are in round and eviscerated weight combined, unless specified otherwise.

\* \* \* \* \*

(c) \* \* \*

(2) *Atlantic migratory group.* The commercial quota for the Atlantic migratory group of Spanish mackerel is 3.33 million lb (1.51 million kg).

\* \* \* \* \*

■ 3. In § 622.385, the first sentence in paragraph (b)(2) is revised to read as follows:

**§ 622.385 Commercial trip limits.**

\* \* \* \* \*

(b) \* \* \*

(2) For the purpose of paragraph (b)(1)(ii) of this section, the adjusted quota is 3.08 million lb (1.40 million kg).

\* \* \* \* \*

■ 4. In § 622.388, introductory text is added and paragraphs (c)(3), (d)(3), and the last two sentences of paragraph (d)(2)(i) are revised to read as follows:

**§ 622.388 Annual catch limits (ACLs), annual catch targets (ACTs), and accountability measures (AMs).**

All weights are in round and eviscerated weight combined, unless specified otherwise.

\* \* \* \* \*

(c) \* \* \*

(3) The stock ACL for Gulf migratory group Spanish mackerel is 12.7 million lb (5.76 million kg) for the 2014–2015 fishing year, 11.8 million lb (5.35 million kg) for the 2015–2016 fishing year, and 11.3 million lb (5.13 million

kg) for the 2016–2017 fishing year and subsequent fishing years.

(d) \* \* \*

(2) \* \* \*

(i) \* \* \* The recreational ACT for the Atlantic migratory group is 2.364 million lb (1.072 million kg). The recreational ACL for the Atlantic migratory group is 2.727 million lb (1.236 million kg).

\* \* \* \* \*

(3) The stock ACL for Atlantic migratory group Spanish mackerel is 6.063 million lb (2.76 million kg).

\* \* \* \* \*

[FR Doc. 2014–27374 Filed 11–19–14; 8:45 am]

**BILLING CODE 3510–22–P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 660**

[Docket No. 120814338–2711–02]

**RIN 0648–BE64**

**Magnuson-Stevens Act Provisions; Fisheries off West Coast States; Biennial Specifications and Management Measures; Inseason Adjustments**

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

**ACTION:** Final rule; inseason adjustments to biennial groundfish management measures.

**SUMMARY:** This final rule announces inseason changes to management measures in the Pacific Coast groundfish fisheries. This action, which is authorized by the Pacific Coast Groundfish Fishery Management Plan (PCGFMP), is intended to allow fisheries to access more abundant groundfish stocks while protecting overfished and depleted stocks.

**DATES:** Effective 0001 hours (local time) November 20, 2014.

**FOR FURTHER INFORMATION CONTACT:** Gretchen Hanshew (West Coast Region, NMFS), phone: 206–526–6147, fax: 206–526–6736, [gretchen.hanshew@noaa.gov](mailto:gretchen.hanshew@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**Electronic Access**

This final rule is accessible via the Internet at the Office of the Federal Register’s Web site at <http://www.gpo.gov/fdsys/search/home.action>, or <http://federalregister.gov>. Background information and documents are available at the Pacific Fishery

Management Council’s Web site at <http://www.pcouncil.org/>. Copies of the final environmental impact statement (FEIS) for the 2013–2014 Groundfish Specifications and Management Measures are available from Donald McIsaac, Executive Director, Pacific Fishery Management Council (Council), 7700 NE Ambassador Place, Portland, OR 97220, phone: 503–820–2280.

**Background**

The PCGFMP and its implementing regulations at title 50 in the Code of Federal Regulations (CFR), part 660, subparts C through G, regulate fishing for over 90 species of groundfish off the coasts of Washington, Oregon, and California. Groundfish specifications and management measures are developed by the Pacific Fishery Management Council (Council), and are implemented by NMFS.

On November 14, 2012, NMFS published a proposed rule to implement the 2013–2014 harvest specifications and management measures for most species of the Pacific Coast groundfish fishery (77 FR 67974). The final rule to implement the 2013–2014 harvest specifications and management measures for most species of the Pacific Coast Groundfish Fishery was published on January 3, 2013 (78 FR 580).

The Council, in coordination with Pacific Coast Treaty Indian Tribes and the States of Washington, Oregon, and California, recommended changes to current groundfish management measures at its October 17, 2014 meeting. Specifically, the Council recommended changing the amount of darkblotched rockfish initially deducted from the annual catch limit (ACL) to account for mortality in the incidental open access sector from 18.4 metric tons (mt) to 15.4 mt. The Council also recommended that the corresponding 3 mt of darkblotched rockfish previously deducted from the ACL be made available to the catcher/processor (C/P) sector of the at-sea Pacific whiting fishery. On November 12, 2014, NMFS published an inseason action to implement the Council’s recommended changes (79 FR 67095). That rule correctly described the action and the intent, but contained erroneous calculations in the footnotes to Table 2b to subpart C. As a result of those errors, only the 3 mt reduction of the amount of darkblotched rockfish deducted from the ACL to account for mortality in the incidental open access sector was made. The increase to the C/P allocation of darkblotched rockfish was calculated incorrectly. For the same reasons stated in the November 12, 2014 rule and summarized below, this rule