

23229, April 30, 1999. Sections 51.321 (f) and (h) and 51.323 (b) and (i)(3) of these rules contain new and modified information collection requirements. We stated that these sections "contain information collection requirements that are not effective until approved by the Office of Management and Budget. The FCC will publish a document in the **Federal Register** announcing the effective date for those sections."

Correction

The announcement of effective date contained the wrong date. We inadvertently announced that the collections of information were effective on May 13, 1999. In the **Federal Register** of June 2, 1999, on page 29599, in the first column, the effective date should be changed to read: "The amendments to 47 CFR 51.321 (f) and (h) and 51.323 (b) and (i)(3) published at 64 FR 23229 (April 30, 1999) are effective on June 1, 1999."

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 99-16183 Filed 6-24-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 285 and 635

[Docket No. 990618163-9163-01; I.D. 052799D]

RIN 0648-AM81

Atlantic Highly Migratory Species; Bluefin Tuna Catch Reporting

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

ACTION: Final rule; determination of state jurisdiction.

SUMMARY: NMFS has determined that the State of Maryland has implemented regulations for reporting of Atlantic bluefin tuna (BFT) landings in the recreational fishery that are mandatory, at least as restrictive as the Federal reporting requirements, and effectively enforced. Therefore, participants in the recreational fishery who land BFT in the State of Maryland are exempt from calling in their catch through NMFS' automated catch reporting system and must report their catch via the Maryland BFT landing tag program. All other Federal regulations applicable to

Atlantic tunas still apply within the boundary of the State of Maryland.

DATES: Effective June 22, 1999 through November 27, 1999.

ADDRESSES: Requests for copies of the final rule and information on Atlantic tunas catch reporting should be directed to Rebecca Lent, Chief, Highly Migratory Species Management Division, Office of Sustainable Fisheries (F/SF1), NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3282. Send comments regarding the burden-hour estimates or other aspects of the collection-of-information requirement contained in this rule to Rebecca Lent and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20503 (Attention: NOAA Desk Officer).

FOR FURTHER INFORMATION CONTACT: Maria Uitterhoeve, 301-713-2347; Pat Scida, 978-281-9208.

SUPPLEMENTARY INFORMATION:

Background

The Atlantic Tunas Convention Act (ATCA), codified at 16 U.S.C. 971 *et seq.*, provides for U.S. participation in the conduct of scientific research programs and regulation of fishing operations by the International Commission for the Conservation of Atlantic Tunas (ICCAT). Section 971g.(d)(2)(B) of ATCA provides that Federal regulations promulgated to implement ICCAT recommendations shall apply within the boundary of any state bordering on any convention area if the Secretary of Commerce determines that any such state has laws or regulations that are less restrictive than the Federal regulations or, if not less restrictive, are not effectively enforced.

Regulations implemented under the authority of ATCA governing the harvest of Atlantic highly migratory species by persons and vessels subject to U.S. jurisdiction presently appear at 50 CFR part 285. Effective July 1, 1999, these regulations will be replaced by consolidated regulations at 50 CFR part 635 (64 FR 29090, May 28, 1999). Specifically, regulations limiting the harvest of BFT and requiring reporting of BFT landings implement ICCAT recommendations regarding country catch quotas and catch reporting. In the case of the U.S. recreational fishery for young (pre-spawning) BFT, ICCAT has recommended that landings of fish 27 to 47 inches (69 to 119 cm) in fork length be limited to 8 percent of the country quota. BFT of this size are the target of a popular summertime recreational fishery off the mid-Atlantic and southern New England coasts, and the potential catch far exceeds the available

quota. Consequently, NMFS must restrict harvest of BFT through annual quotas and trip limits and must monitor landings in real-time.

Automated Catch Reporting System

NMFS has set up an automated catch reporting system (ACRS), and regulations at 50 CFR 285.29(f) (consolidated at 50 CFR 635.5(c), effective July 1, 1999) require that anglers who land BFT call a toll-free number (1-888-USA-TUNA) to report the number and size of fish. NMFS also conducts dockside and telephone surveys of permitted anglers to estimate fishing effort and collect more detailed scientific information on catch. Recognizing that the states also have an interest in collecting information on the economically important fisheries for Atlantic highly migratory species, NMFS has cooperated with the states to minimize duplication of effort and reduce the reporting burden while ensuring that BFT catch information is collected as quickly as possible. In the event that NMFS determines a state reporting system to be equally effective as the ACRS, NMFS will notify participating anglers that compliance with the state system satisfies the reporting requirement of 50 CFR 285.29(f) (50 CFR 635.5(c) after June 30, 1999).

Maryland BFT Landing Tag Program

State regulations promulgated under Natural Resources Article §4-2A-03 of the Annotated Code of Maryland (COMAR) regarding landing of BFT in Maryland are found at COMAR 08.02.05.23. An emergency regulation to be published in the *Maryland Register*, allows BFT to be landed in the State of Maryland only if consistent with the applicable fishing seasons, size limits and retention limits specified in the Code of Federal Regulations at 50 CFR part 285 (50 CFR part 635 after July 1, 1999). Further, the State regulation requires that, effective June 1, 1999, through November 27, 1999, all BFT landed in Maryland be landed in whole form and have a landing tag affixed before removal of the fish from the vessel. If the BFT is on board a vessel on a trailer, a landing tag must be affixed before such vessel is removed from the water. A landing tag can be obtained only from officially designated reporting stations and only after the angler completes a catch reporting card for each BFT.

The catch reporting and landing tag regulations of the State of Maryland are enforced by the Maryland Natural Resources Police. Violations of the Maryland BFT catch reporting

regulations are subject to a fine. Anglers may obtain further information on the Maryland BFT landing tag program and on the locations of reporting stations from Al Wesche of the Maryland Department of Natural Resources at 410-213-1531.

Determination of State Jurisdiction

NMFS has determined that the State of Maryland has implemented regulations for reporting BFT landings that are at least as restrictive as the Federal reporting requirements and are effectively enforced. Therefore, participants in the recreational fishery who land BFT in the State of Maryland are exempt from calling in their catch through the NMFS ACRS. Under State of Maryland regulations, recreational fishermen must report all BFT landings through the Maryland BFT landing tag program. This exemption applies only to ACRS catch reporting; all other Federal regulations for BFT (e.g., seasons, quotas, catch limits, permit requirements, survey participation) continue to apply within the boundary of the State of Maryland. Information on applicable Federal regulations may be obtained by calling 1-888-USA-TUNA or through the internet at: www.usatuna.com.

Classification

This action is taken under 50 CFR 285.29(f), and after June 30, 1999, will continue in effect under 50 CFR 635.5(c).

Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act (PRA) unless that collection of information displays a currently valid OMB control number.

This rule involves a collection of information requirement subject to the PRA and approved by OMB under control number 0648-0328. The burden associated with Atlantic BFT catch reporting is estimated at 5 minutes per report, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspect of this data collection, including suggestions for reducing the burden, to NMFS and OMB (see ADDRESSES).

This final rule has been determined to be not significant for purposes of E.O. 12866.

The AA has determined that under 5 U.S.C. 553(b)(B) there is good cause to waive the requirement for prior notice

and opportunity for public comment because delaying the final rule to provide for such procedures would be contrary to the public interest in that it would subject recreational fishermen landing BFT in Maryland to duplicative federal and state regulations. This determination of state jurisdiction relieves a restriction by exempting recreational anglers landing BFT in Maryland from the federal requirement to report BFT catch since they are now subject to an effective State reporting requirement that fulfills the same purpose. Under 5 U.S.C. 553(d)(1), because this action relieves a restriction, it is not subject to a 30-day delay in effective date.

Because prior notice and opportunity for public comment is not required for this action by 5 U.S.C. 553 or by any other law, under 5 U.S.C. 603 it is not subject to the analytical requirements of the Regulatory Flexibility Act. Accordingly, no regulatory flexibility analysis was prepared.

Dated: June 21, 1999.

Gary C. Matlock,

*Acting Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

[FR Doc. 99-16166 Filed 6-22-99; 9:10 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 981106278-8336-02; I.D. 060999A]

RIN 0648-AL76

Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; 1999 Specifications

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

ACTION: Inseason adjustment of *Illex* squid annual specifications.

SUMMARY: NMFS issues this notification to announce that the Administrator, Northeast Region, NMFS (Regional Administrator), is adjusting the annual specifications for *Illex* squid (*Illex illecebrosus*), including allowable biological catch (ABC), initial optimum yield (IOY), domestic annual harvest (DAH) and domestic annual processing (DAP), from 19,000 metric tons (mt) to 22,800 mt. The regulations for the Atlantic mackerel, squid and butterfish fisheries require publication of this announcement to provide interested

parties the opportunity to comment on the adjustments.

DATES: Effective June 25, 1999.

Comments on this notification must be received by July 26, 1999.

ADDRESSES: Comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark on the outside of the envelope "Comments on Adjustment of *Illex* Squid Annual Specifications."

FOR FURTHER INFORMATION CONTACT: Peter Christopher, Fishery Management Specialist, at 978-281-9288.

SUPPLEMENTARY INFORMATION: Final 1999 initial specifications for the Atlantic mackerel, squid, and butterfish fisheries were published in the **Federal Register** at 64 FR 1139, January 8, 1999. The *Illex* squid specifications were established as follows: 24,000 mt maximum optimum yield (Max OY); 19,000 mt ABC, IOY, DAH and DAP; 0 mt joint venture processing (JVP); and 0 mt total allowable level of foreign fishing (TALFF).

The Mid-Atlantic Fishery Management Council (Council) submitted Amendment 8 to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan (FMP) on October 6, 1998, to bring the FMP into accord with the Magnuson-Stevens Fishery Conservation Management Act as amended by the Sustainable Fisheries Act. The new overfishing definition for *Illex* squid in Amendment 8 included a target yield associated with 75 percent of the fishing mortality at maximum sustainable yield (F_{MSY}). The yield was calculated to be 18,000 mt in the Amendment. However, upon review of the new overfishing definition, the Northeast Fishery Science Center (Center) discovered an error in the calculation of the 18,000 mt target yield. The Center's review identified that the Council had calculated the 18,000 mt target yield as 75 percent of maximum sustainable yield, rather than 75 percent of F_{MSY} . Further, the overfishing definition had inadvertently cited the draft version of the 21st Stock Assessment Workshop stock assessment of *Illex*. The Center determined that the actual yield associated with F_{MSY} in the overfishing definition should be 22,800 mt.

Amendment 8 to the FMP and the associated overfishing definitions were approved on April 28, 1999. The Council chose not to lower the *Illex* squid specifications to the 18,000 mt target yield indicated in Amendment 8