

are cancelled due to inclement weather, then this section will be enforced July 5; 9 p.m. to 11 p.m.

\* \* \* \* \*

(49) \* \* \*

(i) *Location.* All waters of Muskegon Lake within the arc of a circle with a 1,000-foot radius from a fireworks barge located in position 43°14'13" N, 086°15'54" W (NAD 83).

\* \* \* \* \*

(67) *Sister Bay Marina Fest Fireworks; Sister Bay, WI.*

(i) *Location.* All waters of Green Bay, in the vicinity of Sister Bay, within the arc of a circle with a 800-foot radius from the fireworks launch site located on a boat in position 45°11'30" N, 087°07'20" W (NAD 83).

(ii) *Enforcement date and time.* The Saturday prior to Labor Day; 9 p.m. to 11 p.m.

\* \* \* \* \*

Dated: May 7, 2009.

**Bruce C. Jones,**

*Captain, U.S. Coast Guard, Captain of the Port Lake Michigan.*

[FR Doc. E9-12985 Filed 6-3-09; 8:45 am]

**BILLING CODE 4910-15-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 09-1126; MB Docket No. 08-117; RM-11450]

### Television Broadcasting Services; St. Paul, MN

**AGENCY:** Federal Communications Commission.

**ACTION:** Dismissal.

**SUMMARY:** The Commission dismisses the pending rulemaking petition filed by Twin Cities Public Television, Inc. ("Twin Cities"), the licensee of noncommercial educational station KTCI-TV, analog channel \*17 and KTCI-DT, pre-transition digital channel \*16, and permittee of post-transition digital channel \*26, St. Paul, Minnesota, to substitute digital channel \*38 for its assigned post-transition digital channel \*26. Duluth-Superior Area Educational Television Corporation ("Duluth-Superior"), the licensee of noncommercial educational station WDSE-TV/DT, Duluth, Minnesota, filed comments and a counterproposal in the proceeding. Twin Cities and Duluth-Superior subsequently came to a Commission approved agreement by which Duluth-Superior agreed to withdraw its counterproposal and Twin

Cities agreed to request a different post-transition digital channel substitution.

#### FOR FURTHER INFORMATION CONTACT:

Joyce L. Bernstein, Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Order*, MB Docket No. 08-117, adopted May 18, 2009, and released May 22, 2009. The full text of this document is available for public inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC 20554. This document will also be available via ECFS (<http://www.fcc.gov/cgb/ecfs/>). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) This document may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-478-3160 or via e-mail <http://www.BCPIWEB.com>. To request this document in accessible formats (computer diskettes, large print, audio recording, and Braille), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). 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.

This document is not subject to the Congressional Review Act. (The Commission, is, therefore, not required to submit a copy of this *Order* to the Government Accountability Office, pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A) since this proposed rule is dismissed, herein.) Federal Communications Commission.

**Clay C. Pendarvis,**

*Associate Chief, Video Division, Media Bureau.*

[FR Doc. E9-13052 Filed 6-3-09; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 09-1125; MB Docket No. 09-71; RM-11533]

### Television Broadcasting Services; St. Paul, MN

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a channel substitution proposed by Twin Cities Public Television, Inc. ("Twin Cities"), the licensee of noncommercial educational station KTCI-TV, analog channel \*17 and KTCI-DT, pre-transition digital channel \*16, and permittee of post-transition digital channel \*26, St. Paul, Minnesota. Twin Cities requests the substitution of digital channel \*23 for its assigned post-transition digital channel \*26 at St. Paul.

**DATES:** Comments must be filed on or before June 19, 2009, and reply comments on or before June 29, 2009.

**ADDRESSES:** Federal Communications Commission, Office of the Secretary, 445 12th Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for petitioner as follows: Lawrence Miller, Esq., Schwartz, Woods & Miller, Suite 610, The Lion Building, 1233 20th Street, NW., Washington, DC 20036-7322.

#### FOR FURTHER INFORMATION CONTACT:

Joyce L. Bernstein, [joyce.bernstein@fcc.gov](mailto:joyce.bernstein@fcc.gov), Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 09-71, adopted May 18, 2009, and released May 22, 2009. The full text of this document is available for public inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC 20554. This document will also be available via ECFS (<http://www.fcc.gov/cgb/ecfs/>). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) This document may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-478-3160 or via e-mail <http://www.BCPIWEB.com>. To request this document in accessible formats (computer diskettes, large print, audio

recording, and Braille), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed 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. Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

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

Television, Television broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 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.

##### § 73.622(i) [Amended]

2. Section 73.622(i), the Post-Transition Table of DTV Allotments under Minnesota, is amended by adding DTV channel \*23 and removing DTV channel \*26 at St. Paul.

Federal Communications Commission.

**Clay C. Pendarvis,**

*Associate Chief, Video Division, Media Bureau.*

[FR Doc. E9-13056 Filed 6-3-09; 8:45 am]

**BILLING CODE 6712-01-P**

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Part 622

**RIN 0648-AW12**

##### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery off the Southern Atlantic States; Amendment 15B

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

**ACTION:** Notice of availability of fishery management plan amendment; request for comments.

**SUMMARY:** The South Atlantic Fishery Management Council (Council) has submitted Amendment 15B to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP) for review, approval, and implementation by NMFS. Amendment 15B proposes actions to require a private recreational vessel that fishes in the exclusive economic zone (EEZ), if selected by NMFS, to maintain and submit fishing records; require a vessel that fishes in the EEZ, if selected by NMFS, to carry an observer and install an electronic logbook (ELB) and/or video monitor provided by NMFS; prohibit the sale of snapper-grouper harvested under the bag limits by a vessel for which a Federal charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, regardless of where the snapper-grouper were harvested; require an owner and operator of a vessel for which a commercial or charter vessel/headboat permit has been issued and that has on board any hook-and-line gear to comply with sea turtle and smalltooth sawfish release protocols, possess on board specific gear to ensure proper release of such species that are incidentally caught; expand the allowable transfer of a commercial vessel permit under the limited access program and extend the allowable period for renewal of such a permit. Amendment 15B also proposes to revise the stock status determination criteria for golden tilefish and specify commercial/recreational allocations for snowy grouper and red porgy. The intended effects of this amendment are to provide additional information for, and otherwise improve the effective management of, the South Atlantic snapper-grouper fishery; minimize the impacts on incidentally caught

threatened and endangered sea turtles and smalltooth sawfish.

**DATES:** Comments must be received no later than 5 p.m., eastern time, on August 3, 2009.

**ADDRESSES:** You may submit comments, identified by "0648-AW12", by any of the following methods:

- Electronic Submissions: Submit all electronic public comments via the Federal e-Rulemaking Portal <http://www.regulations.gov>.
- Fax: 727-824-5308, Attn: Kate Michie.

- Mail: Kate Michie, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.

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.

Requests for copies of Amendment 15B, which includes an environmental impact statement, a regulatory impact review, a regulatory flexibility analysis, and a fishery impact statement, should be sent to the South Atlantic Fishery Management Council, 4055 Faber Place, Suite 201, North Charleston, SC 29405; telephone 843-571-4366; fax 843-769-4520; e-mail [safmc@safmc.net](mailto:safmc@safmc.net).

**FOR FURTHER INFORMATION CONTACT:** Kate Michie, telephone: 727-824-5305; fax: 727-824-5308.

#### SUPPLEMENTARY INFORMATION:

##### Background

The South Atlantic snapper-grouper fishery is managed under the FMP. The FMP was prepared by the Council and implemented by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

##### *Specifying Allocations for Snowy Grouper and Red Porgy*

In order to ensure the adverse socioeconomic impacts of ending overfishing and rebuilding overfished stocks are fairly and equitably distributed, the Council is specifying allocations between the commercial and