

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 79

[MM Docket No. 99–339; FCC 01–7]

Video Description

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: This document is a correction to the final rule portion regarding Video Description of Video Programming published in the **Federal Register** of February 1, 2001. This document corrects that rule.

DATES: Effective April 1, 2002.

FOR FURTHER INFORMATION CONTACT: Cyndi Thomas or Eric Bash, Policy and Rules Division, Mass Media Bureau, at (202) 418–2120.

SUPPLEMENTARY INFORMATION: This contains a correction to the Commission's *Memorandum Opinion and Order on Reconsideration* ("MO&O"), MM Docket No. 99–339, FCC 01–7; 66 FR 8521 (February 1, 2001). This document corrects the **Federal Register** as it appeared in rule FR Doc. 01–2754. The Commission is correcting § 79.3(c)(2) of its rules.

Correction

§ 79.3 [Corrected]

In § 79.3, on page 8529, in the second column, paragraph (c)(2) is corrected to read as follows:

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(c) * * *

(2) In order to meet its fifty-hour quarterly requirement, a broadcaster or MVPD may count each program it airs with video description no more than a total of two times on each channel on which it airs the program. A broadcaster or MVPD may count the second airing in the same or any one subsequent quarter.

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Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 01–6819 Filed 3–26–01; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[I.D. 022101C]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Greater Amberjack; Overfished Fishery

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

ACTION: Determination of overfished fishery.

SUMMARY: NMFS has determined that the Gulf of Mexico greater amberjack fishery is overfished and has notified the Gulf of Mexico Fishery Management Council (Council) of related responsibilities under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

DATES: Effective March 27, 2001.

FOR FURTHER INFORMATION CONTACT: Phil Steele, telephone 727–570–5305, fax 727–570–5583, e-mail Phil.Steele@noaa.gov.

SUPPLEMENTARY INFORMATION: The Gulf of Mexico reef fish fishery is managed under the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP). The FMP was prepared by the Council and approved and implemented by NMFS under the authority of the Magnuson-Stevens Act. The FMP is implemented by regulations at 50 CFR part 622.

Determination of Overfished Fishery

NMFS' determination of the status of a stock relative to "overfishing" and an "overfished" condition is based on both the removal of fish from the stock through fishing (the exploitation rate) and the current stock size. When the exploitation rate jeopardizes the capacity of a stock to produce its maximum sustainable yield (MSY) on a continuing basis, overfishing occurs. The exploitation rate (i.e., rate of removal of fish from a population by fishing) is usually expressed in terms of an instantaneous fishing mortality rate (F). Another important factor for classifying the status of a resource is the current stock level. If a stock's biomass falls below its minimum stock size threshold (MSST), the capacity of the stock to produce MSY on a continuing basis is jeopardized, and the stock is said to be in an overfished condition.

Refer to NMFS' National Standard Guidelines for further information regarding these terms and concepts (final rule issued May 1, 1998; 63 FR 24212).

NMFS has made a determination regarding the status of the Gulf of Mexico greater amberjack stock relative to overfishing and to an overfished condition based on the 2000 greater amberjack stock assessment conducted by NMFS' Southeast Fisheries Science Center and on the December 2000 Report of the Council's Reef Fish Stock Assessment Panel (RFSAP). These most recent analyses indicate that the stock is overfished but is not undergoing overfishing due to presumed recent reductions in F. The NMFS' stock assessment used a calibrated Virtual Population Analysis (VPA) to obtain estimates of population abundance and mortality rates based on data through 1998. Inputs to the assessment were obtained from the following sources: Data on catch-at-age and selectivity; an index of abundance from private vessels and charter boats; and indices of abundance from the headboat and handline fisheries. Sensitivity analyses included (a) examinations of various combinations of the three indices for tuning; (b) truncation of the time series for the three indices to a period in which size limits were generally constant; (c) examination of alternatives for the F ratios for the terminal age group (fixing or estimating F); (d) two alternative stock-recruitment relationships; and (e) several assumed levels of natural mortality (i.e., 0.15, 0.25, 0.35).

Based on all the stock assessment options presented, the RFSAP chose four options for further consideration. These four options comprised best available scientific advice to the Council; all four combinations indicated that the greater amberjack stock was overfished in 1998 based on the Minimum Stock Size Threshold (MSST) status determination criterion. The best estimate of stock size in 2000 showed that the stock is at less than one-half of MSST. The assessment results also indicate that reductions in fishing mortality are required to eliminate overfishing. The assessment, however, did not take into account recent (1998) management actions that the RFSAP believes are adequate to achieve the required reductions in F. The RFSAP recognizes that the most recent (as of 1997) estimates of F will not reflect any effects of the closed season (started in 1998), greater amberjack bag limit, and bag and size limits presently in place for lesser amberjack/rudderfish (often mistaken for greater amberjack). If these