

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MB Docket No. 04-401, adopted March 2, 2005, and released March 4, 2005. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC's Reference Information Center, Portals II, 445 Twelfth Street, SW., Room CY-A257, Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>. 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 5 U.S.C. 801(a)(1)(A).

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

Radio, Radio broadcasting.

■ Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

#### PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 reads as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

#### § 73.202 [Amended]

■ 2. Section 73.202(b), the Table of FM Allotments under Oklahoma, is amended by removing Channel 248C2 at Durant.

■ 3. Section 73.202(b), the Table of FM Allotments under Texas, is amended by adding Tom Bean, Channel 248C2.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. 05-5400 Filed 3-17-05; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### 49 CFR Parts 222 and 229

[Docket No. FRA-1999-6439, Notice No. 14]

RIN 2130-AA71

#### Use of Locomotive Horns at Highway-Rail Grade Crossings

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Interim final rule; change of effective date.

**SUMMARY:** On December 18, 2003, FRA published an Interim Final Rule in the **Federal Register** addressing the use of locomotive horns at highway-rail grade crossings. As FRA was interested in receiving public comments on all aspects of the Interim Final Rule, FRA held a public hearing in Washington, DC on February 4, 2004, and extended the comment period from the originally scheduled deadline of February 17, 2004, to April 19, 2004. However, by the close of the extended comment period, FRA had received more than 1,400 comments on the Interim Final Rule and Environmental Impact Statement. Given the extensive amount of time needed to review and analyze the comments received, on November 22, 2004, FRA extended the effective date of the Interim Final Rule until April 1, 2005. However, as a result of delays related to the publication of the final rule, which FRA intends to issue before the Interim Final Rule takes effect, FRA is issuing this document to announce the change of the Interim Final Rule effective date to June 24, 2005.

**DATES:** The effective date of the Interim Final Rule published at 68 FR 70586 and delayed at 69 FR 67858 is changed from April 1, 2005, to June 24, 2005.

**FOR FURTHER INFORMATION CONTACT:** Ron Ries, Office of Safety, FRA, 1120 Vermont Avenue, NW., Washington, DC 20590 (telephone 202-493-6299); or Kathryn Shelton, Office of Chief Counsel, FRA, 1120 Vermont Avenue, NW., Washington, DC 20590 (telephone 202-493-6038).

**SUPPLEMENTARY INFORMATION:** This document changes the Interim Final Rule effective date to June 24, 2005. Therefore, any requirements imposed by the Interim Final Rule that pertain to 49 CFR parts 222 and 229 and would have taken effect before June 24, 2005, need not be complied with before that date. This change of the Interim Final Rule effective date will give public authorities additional time within which to establish the necessary conditions that will permit them to continue or establish quiet zones within their respective jurisdictions.

As the provisions of the Interim Final Rule remain subject to further modification under the terms of the final rule, FRA intends to issue the final rule prior to the Interim Final Rule effective date stated above. However, in order to address the concerns of communities that have been anxiously awaiting the issuance of the final rule, the provisions of the final rule for quiet

zone-related administrative matters will become effective 30 days after publication of the final rule. Therefore, public authorities will be permitted to provide quiet zone-related documentation 30 days after the final rule is published.

Issued in Washington, DC, on March 14, 2005.

Robert D. Jamison,  
Acting Administrator.

[FR Doc. 05-5362 Filed 3-15-05; 1:19 pm]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 001005281-0369-02; I.D. 031105G]

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction

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

**ACTION:** Inseason action; trip limit reduction.

**SUMMARY:** NMFS reduces the commercial trip limit of Atlantic group Spanish mackerel in or from the exclusive economic zone (EEZ) in the southern zone to 500 lb (227 kg) per day. This trip limit reduction is necessary to maximize the socioeconomic benefits of the quota.

**DATES:** Effective 6 a.m., local time, March 16, 2005, through March 31, 2005.

**FOR FURTHER INFORMATION CONTACT:** Steve Branstetter, telephone: 727-570-5305, fax: 727-570-5583, e-mail: [Steve.Branstetter@noaa.gov](mailto:Steve.Branstetter@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The fishery for coastal migratory pelagic fish (king mackerel, Spanish mackerel, cero, cobia, little tunny, and, in the Gulf of Mexico only, dolphin and bluefish) is managed under the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (FMP). The FMP was prepared by the Gulf of Mexico and South Atlantic Fishery Management Councils (Councils) and is implemented under the authority of the Magnuson-Stevens Fishery Conservation and Management Act by regulations at 50 CFR part 622.

Based on the Councils' recommended total allowable catch and the allocation ratios in the FMP, on August 2, 2000, (65 FR 41015, July 3, 2000) NMFS implemented a commercial quota of 3.87 million lb (1.76 million kg) for the Atlantic migratory group of Spanish mackerel. For the southern zone, NMFS specified an adjusted quota of 3.62 million lb (1.64 million kg) calculated to allow continued harvest at a set rate for the remainder of the fishing year in accordance with 50 CFR 622.44(b)(2). In accordance with 50 CFR

622.44(b)(1)(ii)(D), after 100 percent of the adjusted quota of Atlantic group Spanish mackerel is taken, Spanish mackerel in or from the EEZ in the southern zone may be possessed on board or landed from a permitted vessel in amounts not exceeding 500 lb (227 kg) per day. The southern zone for Atlantic migratory group Spanish mackerel extends from 30°42'45.6" N. lat., which is a line directly east from the Georgia/Florida boundary, to 25°20.4' N. lat., which is a line directly east from the Miami-Dade/Monroe County, FL boundary.

NMFS has determined that 100 percent of the adjusted quota for Atlantic group Spanish mackerel has been taken. Accordingly, the 500-lb (227-kg) per day commercial trip limit applies to Spanish mackerel in or from the EEZ in the southern zone effective 6:00 a.m., local time, March 16, 2005, through March 31, 2005.

#### Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(3)(B), as such prior notice and opportunity for public comment is unnecessary and contrary to the public interest. Such procedures would be unnecessary because the rule itself already has been subject to notice and comment, and all that remains is to notify the public of the trip limit reduction. Allowing prior notice and opportunity for public comment is contrary to the public interest because of the need to immediately implement this action in order to protect the fishery since the capacity of the fishing fleet allows for rapid harvest of the quota. Prior notice and opportunity for public comment will require time and would potentially result in a harvest well in excess of the established quota.

For the aforementioned reasons, the AA also finds good cause to waive the

30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

This action is taken under 50 CFR 622.43(a) and is exempt from review under Executive Order 12866.

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

Dated: March 14, 2005.

**Alan D. Risenhoover,**  
*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 05-5347 Filed 3-14-05; 4:33 pm]  
**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 040830250-5062-03; I.D. 081304C]

RIN 0648-AS27

#### Magnuson-Stevens Act Provisions; Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Correction

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

**ACTION:** Correcting amendment

**SUMMARY:** This document contains corrections to the final regulations that were published in the **Federal Register** on Thursday, December 23, 2004. These regulations implemented the 2005-2006 fishery specifications and management measures for groundfish taken in the U.S. exclusive economic zone off the coasts of Washington, Oregon, and California.

**DATES:** Effective on March 18, 2005.

**FOR FURTHER INFORMATION CONTACT:** Yvonne deReynier (Northwest Region, NMFS), phone: 206-526-6129; fax: 206-526-6736 and; e-mail: [yvonne.dereynier@noaa.gov](mailto:yvonne.dereynier@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

This correcting notice also is accessible via the Internet at the Office of the **Federal Register's** website at <http://www.gpoaccess.gov/fr/index.html>. Background information and documents are available at the NMFS Northwest Region website <http://www.nwr.noaa.gov/sustfsh/gdfsh01.htm> and at the Council's website at <http://www.pcouncil.org>.

## Background

The final regulations that are the subject of these corrections revised portions of 50 CFR 660.302 through 660.373 and added §§ 660.380 through 660.394. These regulations affect persons operating fisheries for groundfish species off the U.S. West Coast.

## Need for Correction

As published, the final regulations contain errors that may prove to be misleading to the public and which need to be corrected. This action provides six corrections to the final regulations, all of which are either corrections of spelling mistakes, grammar mistakes, or to mis-numbered paragraphs.

## Classification

The Assistant Administrator for Fisheries, NOAA, finds good cause to waive the requirement to provide prior notice and opportunity for public comment on this action pursuant to 5 U.S.C. 553(b)(3)(B), because providing prior notice and opportunity for comment would be unnecessary and because all of the changes are non-substantive. Two of the corrections provided in this document correctly re-number misdesignated paragraphs within the Code of Federal Regulations. Re-numbering these misdesignated paragraphs has no effect on the public except to eliminate any confusion that may have resulted from the mis-designated paragraphs. One correction is to remove the word "and" from within a long list of latitude/longitude coordinates and to then place that word "and" after the penultimate coordinate in that same list. This correction has no effect on the public except to eliminate any confusion that may have occurred over the mis-placement of that word. Two corrections are to correct misspellings of the words "*Hexagrammos*," "management," and "fishery" in Federal regulations, which also has no effect on the public except to eliminate any confusion that may have resulted from the incorrect spellings of these words. Therefore, it is unnecessary to provide prior notice and opportunity for public comment on these corrections. Pursuant to 5 U.S.C. 553(d), this non-substantive rule is not subject to a 30 day delay in effectiveness.

## List of Subjects in 50 CFR Part 660

Administrative practice and procedure, American Samoa, Fisheries, Fishing, Guam, Hawaiian Natives, Indians, Northern Mariana Islands, Reporting and recordkeeping requirements.