

Regulatory Flexibility Act

The Federal Insurance Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and, after the effective date, flood insurance will no longer be available in the communities unless they take remedial action.

Regulatory Impact Analysis

This rule is not a major rule under Executive Order 12291, Federal

Regulation, February 17, 1981, 3 CFR, 1981 Comp., p. 127. No regulatory impact analysis has been prepared.

Paperwork Reduction Act

This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive

Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309

List of Subjects in 44 CFR Part 64

Flood insurance. Floodplains. Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

1. The authority citation for Part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 64.6 [Amended]

2. The tables published under the authority § 64.6 are amended as follows:

State and Location	Community No.	Effective date of authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
Suspensions				
Region III				
Virginia:				
Clinchport, town of Scott County	510143	Mar. 11, 1974, Emerg; Sept. 29, 1978, Reg; Jan. 6, 1993, susp.	Sept. 29, 1978	Jan. 6, 1993
Region II				
New Jersey:				
Stow Creek, township of Cumberland County	340174	July 1, 1975, Emerg; June 15, 1979, Reg; Jan 20, 1993, Susp.	Jan. 20, 1993	Jan. 20, 1993
New York:				
Busti, town of Chautauqua County	361106	Aug. 8, 1975, Emerg; Mar. 18, 1960, Reg; Jan 20, 1993, Susp.	Jan. 20, 1993	Do
Elizabethtown, town of Essex County	361366	Apr. 30, 1976, Emerg; July 20, 1964, Reg; Jan 20, 1993, susp.	Jan. 20, 1993	Do
Morristown, town of St. Lawrence County	360706	July. 30, 1960, Emerg; Aug. 6, 1982, Reg; Jan 20, 1993, Susp.	Aug. 6, 1962	Do
Region III				
West Virginia:				
Ranson, nty of Jefferson County	540068	Apr. 2, 1975, Emerg; June 15, 1979, Reg; Jan 20, 1993, Susp.	Jan. 20, 1993	Do

Code for reading fourth column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension

(Catalog of Federal Domestic Assistance No. 83.103, "Flood Insurance.")

Issued: December 30, 1992.

C.M. "Bud" Schauerte,

Administrator, Federal Insurance Administration.

FR Doc. 93-188 Filed 1-5-93; 8:45 am

PLING CODE 6718-21-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 1

[OST Docket No. 1; Amdt. 1-252]

Organization and Delegation of Powers and Duties; Delegation of Authority to the Federal Highway Administrator

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: This document delegates to the Federal Highway Administrator the authority vested in the Secretary of

Transportation by section 601 of the Pipeline Safety Act of 1992, Public Law 102-508, concerning the construction of the Page Avenue Extension Project in St. Charles and St. Louis Counties, Missouri. The purpose of this rulemaking is to amend 49 CFR part 1 to reflect this delegation.

EFFECTIVE DATE: January 6, 1993.

FOR FURTHER INFORMATION CONTACT:

John Kraybill, Office of the Chief Counsel, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590 (202) 366-1367, or Steve Farbman, Office of the Assistant General Counsel for

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Regulations and Enforcement, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590 (202) 366-9306.

SUPPLEMENTARY INFORMATION: The Secretary has determined that the authority vested in the Secretary by section 601 of the Pipeline Safety Act of 1992, Pub. L. 102-508, concerning the authority to waive the requirements of section 138 of title 23, United States Code, and section 303 of title 49, United States Code, and other authority relating to construction of the Page Avenue Extension Project in the State of Missouri should be delegated to the Federal Highway Administrator. Since this rule relates to Departmental management, organization, procedure, and practice, notice and comment on it are unnecessary and it may be made effective in fewer than 30 days after publication in the Federal Register.

List of Subjects in 49 CFR Part 1

Authority delegations (government agencies), Organizations and functions (government agencies).

PART 1—[AMENDED]

In consideration of the foregoing, part 1 of title 49, Code of Federal Regulations, is amended as follows:

1. The authority citation for 49 CFR part 1 continues to read as follows

Authority: 49 U.S.C. 322.

2. Section 1.48 is amended by adding a new paragraph (jj), and the introductory text of the section is reprinted for the convenience of the reader, to read as follows:

§ 1.48 Delegations to Federal Highway Administrator.

The Federal Highway Administrator is delegated authority to—

(jj) Carry out the functions vested in the Secretary of Transportation by section 601 of the Pipeline Safety Act of 1992, Public Law 102-508, relating to construction of the Page Avenue Extension Project in Missouri.

Issued on: December 30, 1992.

Andrew H. Card, Jr.,
Secretary.

[FR Doc. 93-224 Filed 1-5-93; 8:45 am]

BILLING CODE 4910-42-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 672

[Docket No. 921240-2340]

RIN 0648-AE90

Groundfish of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Final rule.

SUMMARY: NMFS announces a final rule to remove a provision from the regulations acting to define "pelagic trawl gear" for purposes of the time/area closures authorized by Amendment 18 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP). Amendment 18 expires on December 31, 1992. New time/area closure authority is provided by Amendment 26 to the FMP, which uses the definition of "pelagic trawl gear" appearing in 50 CFR 672.2. **EFFECTIVE DATE:** Effective January 1, 1993.

ADDRESSES: Copies of the environmental assessment/regulatory impact review (EA/RIR) may be obtained from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510 (telephone 907-271-2809).

FOR FURTHER INFORMATION CONTACT: Susan J. Salvesson, Fisheries Management Division, Alaska Region, NMFS, 907-586-7230.

SUPPLEMENTARY INFORMATION:

Background

The domestic and foreign groundfish fisheries in the exclusive economic zone (EEZ) of the Gulf of Alaska (GOA) are managed by the Secretary of Commerce (Secretary) in accordance with the FMP. The FMP was prepared by the North Pacific Fishery Management Council (Council) under the Magnuson Fishery Conservation and Management Act (Magnuson Act). The FMP is implemented by regulations appearing at 50 CFR part 611 for the foreign fishery and at 50 CFR part 672 for the U.S. fishery. General regulations that also pertain to U.S. fisheries appear at 50 CFR part 620.

Amendment 18 to the FMP, which expires December 31, 1992, authorizes time/area closures around Kodiak Island, paragraph (d) of 50 CFR 672.24 implements that authority.

A notice of proposed rulemaking was published in the Federal Register on October 15, 1992 (57 FR 47321) that invited comment on the continuation of time/area closures around Kodiak Island

to protect sensitive king and Tanner crab habitat areas from on-bottom trawl operations as recommended by the Council under Amendment 26 to the FMP. The intent of that notice was to propose to implement the time/area closure authority of Amendment 26 by maintaining, without change paragraphs (d) (1) and (2) of 50 CFR 672.24 and removing paragraphs (d) (3) and (4), which act to define pelagic trawl gear for the sole purpose of time/area closures authorized by Amendment 18. Paragraphs (d) (3) and (4) require that each person using pelagic trawl gear in the Kodiak Island time/area closures maintain a working net-sonde device on the trawl, retain all net-sonde recordings on board the vessel, and maintain contact between the footrope and the seabed 10 percent or less of the period of any tow as indicated by the net-sonde device. Amendment 26 provides authority for time/area closures but uses the definition of pelagic trawl gear appearing in § 672.2. This definition defines pelagic trawl gear based on gear configuration rather than net-sonde device recordings (56 FR 2700, January 24, 1991). Unfortunately, because of a drafting error, the proposed amendatory language failed to propose removal of paragraphs (d) (3) and (4).

Response to Comments

Two letters of comment were received during the comment period. Comments are summarized and responded to below.

Comment 1: Regulations implementing Amendment 26 and its predecessor, Amendment 18, exemplify a wise approach to the conservation of the crab resource without unnecessarily impacting commercial fishing operations.

Response: NMFS notes this comment. **Comment 2:** NMFS invited comment on the enforcement concerns about aerial monitoring of the time/area closures to non-pelagic trawl gear when pelagic trawl gear could still be deployed in the closed areas. These concerns are unfounded in the Gulf of Alaska (GOA). Pollock is the only pelagic trawl fishery in the GOA. All other groundfish trawl fisheries are prosecuted with non-pelagic trawl gear. Additionally, all non-pelagic groundfish fisheries are restricted by a single halibut bycatch limit that is apportioned into seasonal allowances. When a seasonal allowance is reached, the GOA is closed to directed fishing for groundfish by vessels using trawl gear, except that fishing for pollock with

directed fishing for pollock is open. The only time pelagic and non-pelagic trawl

[4910-62-M)

Department of Transportation

Office of the Secretary

49 CFR Part 1

[**OST** Docket No. 1 ; **Amdt.** 1-252]

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AGENCY: Office of the Secretary; DOT.

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EFFECTIVE DATE: (Date of publication in the Federal Register).

FOR FURTHER INFORMATION CONTACT: John Kraybill, Office of the Chief Counsel, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590 (202) 366-1367, or Steve Farbman, Office of the Assistant General Counsel for Regulations and Enforcement, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590 (202) 366-9306.

SUPPLEMENTARY INFORMATION: The Secretary has determined that the authority vested in the Secretary by section 601 of the

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Pipeline Safety Act of 1992, Pub. L. 102-508, concerning the authority to waive the requirements of section 138 of title **23**, United States Code, and section 303 of title 49, United States Code, and other authority relating to construction of the Page Avenue Extension Project in the State of Missouri should be delegated to the Federal Highway Administrator. Since this rule relates to Departmental management, organization, procedure, and practice, notice and comment on it are unnecessary and it may be made effective in fewer than 30 days after publication in the Federal Register.

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(jj) Carry out the functions vested in the Secretary of Transportation by section 601 of the Pipeline Safety Act of 1992, Pub. L. **102-508**, relating to construction of the Page Avenue Extension Project in Missouri.

Issued on: December 30, 1992

A handwritten signature in cursive script, reading "Andrew H. Card, Jr.", is written over a solid horizontal line.

Andrew H. Card, Jr.

Secretary