

tariff requirements. Indeed, the statutory requirement to file noncontiguous domestic trade tariffs with the Board will continue, whereas the requirement to file foreign tariffs with the FMC will be eliminated, and, in fact, FMC's new regulations will no longer even address tariff filing. Second, unlike FMC's existing regulations, which require all carriers to file tariffs through ATFI, FMC's proposed regulations will permit carriers to design and use whatever private tariff publishing systems they choose, so long as minimum requirements are met, and it is unclear at this point how much commonality may exist among the various individual carrier systems. Thus, while we understand the commenters' point about facilitating commonality, we also believe that we should provide carriers with the flexibility to design the tariff filing systems that will best meet their needs, and the needs of their customers, by inviting special tariff authority requests for appropriate proposals individual carriers wish to pursue. It may become desirable to adopt specific regulations governing electronic tariff filings at some point in the future, but adoption of formal regulations at this point could prove to be more limiting than helpful. Finally, as we indicated in our earlier notice, we are not planning to adopt rules, but rather to address electronic tariff requests on a case-by-case basis. Thus, any procedure allowed under the FMC's rules can, if appropriate, be approved for use in the noncontiguous domestic trade through a grant of special tariff authority.

II Entities

The Board certifies that these rules will not have a significant economic effect on a substantial number of small entities. The rules eliminate the option to file tariffs electronically through the FMC's ATFI system, but many carriers already opt to file printed tariffs, and any cost differences for alternative tariff filing methodologies that carriers may propose are unlikely to be significant.

Environment

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

List of Subjects in 49 CFR Part 1312

Motor carriers, Noncontiguous domestic trade, Tariffs, Water carriers.

Decided: January 26, 1999.

By the Board, Chairman Morgan and Vice Chairman Clyburn.

Vernon A. Williams,
Secretary.

For the reasons set forth in the preamble, the Board amends part 1312 of title 49, chapter X, of the Code of Federal Regulations as follows:

PART 1312—REGULATIONS FOR THE PUBLICATION, POSTING AND FILING OF TARIFFS FOR THE TRANSPORTATION OF PROPERTY BY OR WITH A WATER CARRIER IN NONCONTIGUOUS DOMESTIC TRADE

1. The authority citation for part 1312 continues to read as follows:

Authority: 49 U.S.C. 721(a), 13702(a), 13702(b) and 13702(d).

2. In § 1312.1(c), the definition of "ATFI" is removed.

3. Section 1312.6 is amended by revising paragraph (c) to read as follows:

§ 1312.6 Advance notice required.

* * * * *

(c) *Receipt of tariffs by the Board.* The Board will receive tariff filings between the hours of 8:30 A.M. and 5:00 P.M. Eastern Time on workdays. Tariff filings delivered to the Board on other than a workday, or after 5:00 P.M. on a workday, will be considered as received the next workday.

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§ 1312.17 [Removed]

4. Section 1312.17 is removed.

[FR Doc. 99-2558 Filed 2-2-99; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 961204340-7087-02; I.D. 012999A]

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: Trip limit reduction.

SUMMARY: NMFS reduces the commercial trip limit in the hook-and-line fishery for king mackerel in the Florida west coast subzone to 500 lb (227 kg) of king mackerel per day in or

from the exclusive economic zone (EEZ). This trip limit reduction is necessary to protect the overfished Gulf king mackerel resource.

DATES: This rule is effective 12:01 a.m., local time, January 30, 1999, through June 30, 1999, unless changed by further notification in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT:

Mark Godcharles, 727-570-5305.

SUPPLEMENTARY INFORMATION: The fishery for coastal migratory pelagic fish (king mackerel, Spanish mackerel, cero, cobia, little tunny, dolphin, and, in the Gulf of Mexico only, 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, NMFS implemented a commercial quota for the Gulf migratory group of king mackerel in the Florida west coast subzone of 1.17 million lb (0.53 million kg). That quota was further divided into two equal quotas of 585,000 lb (265,352 kg) for vessels in each of two groups by gear types—vessels using run-around gillnets and vessels using hook-and-line gear (50 CFR 622.42(c)(1)(i)(A)(2), (63 FR 8353, February 19, 1998)).

In accordance with 50 CFR 622.44(a)(2)(ii)(B), from the date that 75 percent of the subzone's hook-and-line gear quota has been harvested until a closure of the west coast subzone's hook-and-line fishery has been effected or until the fishing year ends, king mackerel in or from the EEZ may be possessed on board or landed from a permitted vessel in amounts not exceeding 500 lb (227 kg) per day.

NMFS has determined that 75 percent of the hook-and-line quota for Gulf group king mackerel from the Florida west coast subzone was reached on January 28, 1999. Accordingly, a 500-lb (227 kg) trip limit applies to vessels in the commercial hook-and-line fishery for king mackerel in or from the EEZ in the Florida west coast subzone effective 12:01 a.m., local time, January 30, 1999.

The Florida west coast subzone extends from 87°31'06" W. long. (due south of the Alabama/Florida boundary) to: (1) 25°20.4' N. lat. (due east of the Dade/Monroe County, FL boundary) through March 31, 1999; and (2) 25°48' N. lat. (due west of the Monroe/Collier

County, FL boundary) from April 1, 1999, through October 31, 1999.

Classification

This action is taken under 50 CFR 622.44(a)(2)(iii) and is exempt from review under E.O. 12866.

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

Dated: January 29, 1999.

Gary C. Matlock,

Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 99-2543 Filed 1-29-99; 3:08 pm]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 981014259-8312-02; I.D. 012299B]

Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; Adjustments to the 1999 Summer Flounder Commercial Quota; Commercial Quota Harvested for Delaware

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

ACTION: Commercial quota adjustment, notice of commercial quota harvest.

SUMMARY: NMFS issues this notification announcing preliminary adjustments to the 1999 summer flounder commercial quotas. This action complies with the regulations that implement the Fishery Management Plan for the Summer Flounder, Scup, and Black Sea Bass Fisheries (FMP) and that require that landings in excess of a state's individual quota be deducted from a state's respective quota for the following year. The public is advised that preliminary adjustments have been made and is informed of the revised quotas for the affected states. This action also notifies the public that there is no 1999

commercial summer flounder quota available to the State of Delaware.

DATES: This rule is effective January 28, 1999, through December 31, 1999.

FOR FURTHER INFORMATION CONTACT: Mary M. Grim, Fisheries Management Specialist, (978) 281-9326.

SUPPLEMENTARY INFORMATION: Regulations implementing summer flounder management measures are found at 50 CFR part 648, Subparts A and G. The regulations require annual specification of a quota that is apportioned among the Atlantic coastal states from North Carolina through Maine. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.100. The final specifications for the 1999 summer flounder fishery, adopted to ensure achievement of a fishing mortality rate (F) of 0.24 for 1999, set a commercial quota equal to 11.11 million lb (5.04 million kg) (63 FR 72203, December 31, 1998).

Section 648.100(d)(2) provides that all landings for sale in a state shall be applied against that state's annual commercial quota. Any landings in excess of the state's quota must be deducted from that state's annual quota for the following year. NMFS published final specifications and noted that it would adjust each state's 1999 quota as a result of 1998 overages. The adjustment in this notification is preliminary because it is likely that additional data will be received from the states that would alter the figures, including late landings reported from either federally permitted dealers or state statistical agencies reporting landings by non-federally permitted dealers.

Based on dealer reports and other information available through December 31, 1998, NMFS has determined that the States of Delaware, Maine, New York, New Jersey, Maryland, and Virginia exceeded their 1998 quotas. The remaining States of New Hampshire, Massachusetts, Rhode Island, Connecticut, and North Carolina have not exceeded their 1998 quotas. The preliminary 1998 landings and resulting overages for all states are given in Table

1 to the preamble of this document. The resulting adjusted 1999 commercial quota for each state is given in Table 2 to the preamble of this document. In Table 3 to the preamble of this document, the adjustment has been made to maintain the incidental component of the commercial quota at 32.7 percent of the total (as recommended in the final specifications).

This notification also corrects errors for Rhode Island's commercial summer flounder allocation specified in the preamble to Table 1.—1999 State Commercial Quotas published on December 31, 1998 (63 FR 72203).

In FR Doc. 98-34511, on page 72204, in Table 1.—1999 State Commercial Quotas, the commercial state allocation for Rhode Island is corrected to read as follows:

In the third column of the table, under the heading Directed, and under the subheading Lb, in the fourth line, "1,171,379" is corrected to read "1,172,758"; in the last line, the total "7,468,107" is corrected to read "1,742,583" and in the fourth column of the table, under the same heading, and under the subheading KG, "53,133" is corrected to read "531,954"; in the last line, the total "3,387,476" is corrected to read "790,422."

In the fifth column of the table, under the heading Incidental catch, under the subheading Lb, in the fourth line, "571,204" is corrected to read "569,825" and in the sixth column, under the same heading, under the subheading KG, "259,094" is corrected to read "258,468."

In the seventh column, under the heading Total, under the subheading Lb, in the fourth line, "1,741,583" is corrected to read "1,742,583"; and under the same heading, under the same subheading, in the last line, "11,111,191" is corrected to read "11,110,300." These corrections are reflected in Tables 2 and 3 of this document. In addition, Tables 2 and 3 reflect a quota transfer of 5,000 lb (2,268 kg) from North Carolina to Virginia (64 FR 2600, January 15, 1999).

TABLE 1.—SUMMER FLOUNDER PRELIMINARY 1998 LANDINGS BY STATE

State	1998 quota		Preliminary 1998 landings		1998 overage	
	Lb	Kg ¹	Lb	Kg ¹	Lb	Kg ¹
ME	4,791	2,173	5,168	2,344	377	171
NH	51	23	0	0	0	0
MA	721,899	327,448	695,994	315,698	0	0
RI	1,742,583	790,422	1,729,643	784,553	0	0
CT	250,457	113,605	246,642	111,875	0	0
NY	763,419	346,281	819,351	371,651	55,932	25,370
NJ	1,858,363	842,939	1,864,089	845,537	5,726	2,597