

**PART 180—[AMENDED]**

■ 1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346a and 371.

■ 2. Section 180.585 is amended by alphabetically adding commodities in the table in paragraph (a) to read as follows:

**§ 180.585 Pyraflufen-ethyl; tolerances for residues.**

(a) \* \* \*

Commodity	Parts per million
* * *	* *
Wheat, forage .....	0.1
Wheat, grain .....	0.01
Wheat, hay .....	0.1
Wheat, straw .....	0.01

\* \* \* \* \*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 04-1026; MB Docket No. 03-77; RM-10660, RM-10835]

**Radio Broadcasting Services; Ashland, AL; Atlanta, GA; Coaling, Cordova, Decatur, Dora, Holly Pond, and Midfield, AL; Pulaski, TN; Sylacauga and Tuscaloosa, AL**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In response to a petition for rule making in this proceeding filed by Cox Radio, Inc. and CXR Holdings, Inc. and a counterproposal jointly filed by Kea Radio, Inc. and Pulaski Broadcasting, Inc. this document grants multiple channel substitutions and changes of community of license in Alabama, Georgia and Tennessee. See 68 FR 17592, April 10, 2003. Specifically, this document substitutes Channel 239C2 for Channel 239C1 at Tuscaloosa, Alabama, reallots Channel 239C2 to Midfield, Alabama, and modifies the Station WBHJ license to specify operation on Channel 239C2 at Midfield. In order to accommodate the Channel 239C2 allotment at Midfield, this document reallots Channel 238A from Holly Pond, Alabama, Hackleburg, Alabama, and modifies the Station WFMH-FM license to specify Hackleburg as the community of license.

To replace the loss of the sole local service at Holly Pond, this document reallots Channel 245C from Decatur, Alabama, to Holly Pond, and modifies the license of Station WRSA to specify Holly Pond as the community of license. In order to accommodate Channel 239C2 at Midfield, it reallots Channel 237A from Cordova, Alabama, Coaling, Alabama, and modifies the Station WFFN license to specify Coaling as the community of license. To replace the loss of the sole local service at Cordova, this document also reallots Channel 223A from Dora, Alabama, to Cordova, and modifies the Station WQOP-FM license to specify Cordova as the community of license. See Supplementary Information.

**DATES:** Effective June 4, 2004.

**FOR FURTHER INFORMATION CONTACT:** Robert Hayne, Mass Media Bureau (202) 418-2177.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the *Report and Order* in MM Docket No.03-77 adopted April 14, 2004, and released April 19, 2004. The full text of this decision is available for inspection and copying during normal business hours in the FCC Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone (202) 863-2893, facsimile (202) 863-2898, or via e-mail [qualixint@aol.com](mailto:qualixint@aol.com).

This document reallots Channel 238A from Ashland, Alabama, to Hobson City, Alabama, and modifies the Station WASZ license to specify Hobson City as its community of license. To replace the loss of the sole local service at Ashland, this document reallots Channel 252A from Sylacauga, Alabama, to Ashland, and modifies the Station WTRB-FM license to specify Ashland as its community of license. This document also reclassifies the Channel 253C allotment at Atlanta, Georgia, to Channel 253C0 and modifies the Station WSB-FM license to specify operation on Channel 253C0. This document substitutes Channel 252C3 for Channel 252A at Scottsboro, Alabama, and modifies the Station WKEA license to specify operation Channel 252C3. In order to accommodate the Channel 252C3 allotment at Scottsboro, this document substitutes Channel 252C3 for Channel 252A at Pulaski, Tennessee, reallots Channel 252C3 to Killen, Alabama, and modifies the Station WKSJ-FM license to specify operation on Channel 252C3 at Killen. The

reference coordinates for the Channel 239C2 allotment at Midfield, Alabama, are 33-24-50 and 87-01-05. The reference coordinates for the Channel 238A allotment at Hackleburg, Alabama, are 34-13-15 and 87-45-00. The reference coordinates for the Channel 245C allotment at Holly Pond, Alabama, are 34-29-23 and 86-37-38. The reference coordinates for the Channel 237A allotment at Coaling, Alabama, are 33-04-58 and 87-27-02. The reference coordinates for the Channel 223A allotment at Cordova, Alabama, are 33-38-55 and 87-09-19. The reference coordinates for the Channel 238A allotment at Hobson City, Alabama, are 33-29-30 and 85-52-55. The reference coordinates for the Channel 252A allotment at Ashland, Alabama, are 33-13-30 and 85-53-40. The reference coordinates for the Channel 253C0 allotment at Atlanta, Georgia, are 33-45-33 and 84-20-05. The reference coordinates for the Channel 252C3 allotment at Scottsboro, Alabama, are 34-30-40 and 86-01-54. The reference coordinates for the Channel 252C3 allotment at Killen, Alabama, are 34-58-40 and 87-36-05.

### List of Subjects in 47 CFR Part 73

Radio, Radio Broadcasting.

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

### PART 73—RADIO BROADCAST SERVICE

■ 1. The authority citation for Part 73 continues to read 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 Alabama, is amended by removing Channel 238A and by adding Channel 252A at Ashland, by adding Coaling, Channel 237A, by removing Channel 237A and by adding Channel 223A at Cordova, by removing Channel 245C at Decatur, by removing Dora, Channel 223A, by adding Hackleburg, Channel 238A, by adding Hobson City, Channel 238A, by adding Holly Pond, Channel 245C, by adding Killen, Channel 252C3, by adding Midfield, Channel 239C2, by removing Channel 252A and by adding Channel 252C3 at Scottsboro, by removing Sylacauga, Channel 252A, and by removing Tuscaloosa, Channel 239C1.

■ 3. Section 73.202(b), the Table of FM Allotments under Georgia, is amended by removing Channel 253C and by adding Channel 253C0 at Atlanta.

■ 4. Section 73.202(b), the Table of FM Allotments under Tennessee, is

amended by removing Pulaski, Channel 252A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 04–10683 Filed 5–11–04; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 031218322–4137–02; I.D. 111903A]

RIN 0648–AR73

#### Fisheries of the Exclusive Economic Zone Off Alaska; Skates Management in the Groundfish Fisheries of the Gulf of Alaska

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

**ACTION:** Final rule.

**SUMMARY:** NMFS issues a final rule to implement Amendment 63 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP). Amendment 63 moves skates from the “other species” list to the “target species” list in the FMP. By listing skates as a target species, management of a directed fishery for skates in the Gulf of Alaska (GOA) is improved. The final rule revises the definition of “other species” and revises the listings for skates and “other species” to allow for the management of incidental catch of skates in groundfish fisheries and for groundfish in the skates directed fishery. This action is necessary to reduce the potential for overfishing skates. This action is intended to promote the goals and objectives of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the FMP, and other applicable laws.

**DATES:** Effective June 11, 2004.

**ADDRESSES:** Copies of the Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis (EA/RIR/IRFA), and the Final Regulatory Flexibility Analysis (FRFA) prepared for this action, as well as the Other Species Considerations for the Gulf of Alaska in the November 1999 GOA Stock Assessment and Fishery Evaluation (SAFE) report may be obtained from NMFS, Alaska Region,

P.O. Box 21668, Juneau, AK 99802, Attn: Lori Durall.

**FOR FURTHER INFORMATION CONTACT:**

Melanie Brown, 907–586–7228 or [melanie.brown@noaa.gov](mailto:melanie.brown@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The groundfish fisheries in the Exclusive Economic Zone of the GOA are managed under the FMP. The North Pacific Fishery Management Council (Council) prepared the FMP under the authority of the Magnuson-Stevens Act, 16 U.S.C. 1801, *et seq.* Regulations implementing the FMP appear at 50 CFR part 679. General regulations governing U.S. fisheries also appear at 50 CFR part 600.

#### Background

The Council adopted Amendment 63 in October 2003, to prevent overfishing of skate species. Amendment 63 moves skates from the “other species” list to the “target species” list in the FMP. The Notice of Availability for Amendment 63 was published in the **Federal Register** for a 60-day public review and comment period that ended February 2, 2004 (68 FR 67390, December 2, 2003). The proposed rule for this action was published in the **Federal Register** on January 6, 2004 (69 FR 614). The comment period for the proposed rule ended February 20, 2004. The Secretary of Commerce approved the FMP amendment on February 27, 2004.

In December 2003, the Council recommended proposed harvest specifications for skates in the GOA. These harvest specifications were published in the **Federal Register** on March 4, 2004 (69 FR 10190), with a 15-day comment period ending March 19, 2004. Harvest specifications establishing overfishing levels (OFLs), acceptable biological catch (ABC), and total allowable catch (TAC) amounts for skates will allow management of the directed fishery for skates, reducing the potential for overfishing of skate species and meeting the conservation objectives of the Magnuson-Stevens Act.

This final rule will facilitate incidental catch management by clarifying the maximum retainable amounts (MRAs) of groundfish in the skate directed fishery and the MRAs for skates in other groundfish directed fisheries. This action revises Table 10 of 50 CFR part 679 to separate skates from the “other species” complex and to establish a separate listing of MRAs for skates. The listing of species groups under footnote 7 to Table 10 for the “other species” complex is revised to remove skates from the listing. Footnote 11 to Table 10 is added to the MRAs column and row for skates to identify the managed skate species and the

reporting codes. These changes are necessary to clarify the retention limits of skates incidentally caught in other groundfish directed fisheries and the retention limits of other groundfish taken incidentally in the directed fishery for skates. No changes are made to the MRA that apply to skates or to other groundfish from the MRAs that apply to the “other species” complex.

The definition of “other species” in the regulations is revised to reference 50 CFR 679.20(e) for Tables 10 and 11 instead of 50 CFR 679.20(c), which does not apply to Tables 10 and 11.

#### Comments and Responses

Two letters of comment were received regarding Amendment 63. The letters contained seven separate comments which are summarized and responded to below.

**Comment 1.** Reduce the TAC by 50 percent this year and an additional 10 percent each year, thereafter.

**Response.** NMFS assumes this is a recommendation to set TAC at 50 percent of the ABC level. Amendment 63 does not set annual TACs for skates, rather it removes skates from the “other species” complex in the GOA and authorizes the Council to recommend OFLs, ABCs, TACs, and other management measures for skates as part of the annual harvest specifications process for groundfish in the GOA. In a separate action, NMFS has published proposed 2004 harvest specifications and associated management measures for skates in the GOA (69 FR 10190, March 4, 2004) based on Council recommendations made in December 2003. The Council recommended and NMFS proposed that the combined TACs for all skates in the GOA in 2004 be a total of 6,993 metric tons (mt) (86 percent of the combined ABC amounts). Comments on these proposed specifications were invited through March 19, 2004.

TAC amounts in the GOA are established at or below the ABC amounts for groundfish species with reductions from the ABC dependent on socioeconomic and ecosystem concerns. The ABCs are developed by the Groundfish Plan Team based on conservative estimates of biomass, depending on the amount of information available for a species. The ABCs are reviewed by the Council’s Scientific and Statistical Committee (SSC) and TACs are recommended by the Council’s Advisory Panel (AP) and the Council. No socioeconomic or ecosystem concerns have been brought forward indicating the need for a reduction in TAC of 50 percent in 2004, and 10 percent each year, thereafter. For