

because the USCG has the expertise and staff to carry out these functions in accordance with the statutory requirements. The pertinent actions of this delegation include, but are not limited to: (1) Taking receipt of such equipment and sites of the Ground Wave Emergency Network (GWEN) and reusing them as necessary for the establishment of the NDGPS, (2) installing the NDGPS by using contractor services to the maximum extent practicable, (3) modifying the positioning system operated by the Coast Guard to integrate it with the NDGPS, (4) ensuring that the reference stations are compatible with, and integrated into, the Continuously Operating Reference Station (CORS) system in cooperation with the National Geodetic Survey of the Department of Commerce, (5) investigating the use of the NDGPS reference stations for the Global Positioning System Integrated Precipitable Water Vapor System of the National Oceanic and Atmospheric Administration, of the Department of Commerce (6) cooperating with appropriate agencies within the Defense Department to ensure that the use of the NDGPS is denied to any enemy of the United States, (7) maintaining the sites and equipment of the NDGPS including entering into contracts to provide for maintenance where it is cost effective, (8) acting as lead agency, in cooperation with the Federal Railroad Administrator and Federal Highway Administrator, in the investigation of improvements to the NDGPS, in the development of standards for the NDGPS, and in the sponsorship of the development of new applications for the NDGPS, (9) providing for the continual upgrading of the NDGPS to improve performance, and (10) acting as a cooperating agency in matters relating to the National Environmental Policy Act (NEPA).

The first exception to the delegation to the Commandant of the Coast Guard is that the determination of the Federal requirements for the NDGPS, as a necessary function in the Secretary of Transportation's authority to establish, operate, and manage the NDGPS, is delegated to the Federal Railroad Administrator. This is because the Federal Railroad Administration will determine these requirements based upon its utility to the FRA's Positive Train Control and related initiatives.

The second exception to the delegation to the Commandant of the Coast Guard is that the function of acting as the lead DOT agency for matters relating to the National Environmental Policy Act (NEPA), which are pertinent to the Secretary of Transportation's authority to establish

and manage the NDGPS, is delegated to the Federal Highway Administrator. This is because the Federal Highway Administration has the expertise, regulations, and staff to carry out these functions in accordance with the statutory requirements.

This delegation does not affect the authority or responsibility of the Secretary for policy development. Since this amendment relates to departmental organization, procedure and practice, notice and comment on it are unnecessary under 5 U.S.C. 553(b). Further, since the amendment expedites the Department of Transportation's ability to meet the statutory intent of Section 346 of the Department of Transportation and Related Agencies Appropriation Act, 1998, the Secretary finds good cause under 5 U.S.C. 553(d)(3) for the final rule to be effective on the date of publication in the **Federal Register**.

List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies), Organization and functions (Government agencies).

In consideration of the foregoing, Part 1 of Title 49, Code of Federal Regulations, is amended, effective upon publication, to read as follows:

PART 1—[AMENDED]

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

Authority: 49 U.S.C. 2104(a); Pub. L. 101-552; 28 U.S.C. 2672, 31 U.S.C. 3711(a)(2), 46 U.S.C. 2104(a).

2. In § 1.46 (*Delegations to Commandant of the Coast Guard*), the paragraph (qqq) is added to read as follows:

§ 1.46 Delegations to Commandant of the Coast Guard.

* * * * *

(qqq) Carry out the functions and exercise the authority vested in the Secretary by section 346 of Pub. L. 105-66, titled the Department of Transportation and Related Agencies Appropriations Act, 1998, to establish, operate, and manage the Nationwide Differential Global Positioning System (NDGPS), except for the related function of determining the Federal requirements for the NDGPS, which is delegated to the Federal Railroad Administrator, and except for the related function of acting as lead DOT agency in matters relating to the National Environmental Policy Act, which is delegated to the Federal Highway Administrator.

3. In § 1.48 (*Delegations to Federal Highway Administrator*), paragraph (ll) is added to read as follows:

§ 1.48 Delegations to Federal Highway Administrator.

* * * * *

(ll) Carry out the function of acting as the lead DOT agency in matters relating to the National Environmental Policy Act pertinent to the authority vested in the Secretary to establish, operate, and manage the Nationwide Differential Global Positioning System (NDGPS) by section 346 of Pub. L. 105-66, titled the Department of Transportation and Related Agencies Appropriations Act, 1998.

4. In § 1.49 (*Delegations to Federal Railroad Administrator*), paragraph (ll) is added at the end thereof.

§ 1.49 Delegations to Federal Railroad Administrator.

* * * * *

(11) Carry out the function of determining the Federal requirements for the Nationwide Differential Global Positioning System (NDGPS) as a necessary part of the Secretary's authority to establish, operate, and manage the NDGPS granted by Section 346 of Public Law 105-66, titled the Department of Transportation and Related Agencies Appropriations Act, 1998.

Issued in Washington, DC, this 8th day of February, 1999.

Rodney E. Slater,

Secretary of Transportation.

[FR Doc. 99-3625 Filed 2-16-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 990115017-9017-01; I.D. 011199A]

RIN 0648-AM08

Fisheries of the Exclusive Economic Zone Off Alaska; Steller Sea Lion Protection Measures for the Pollock Fisheries off Alaska; Correction

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

ACTION: Final rule; correction.

SUMMARY: This document contains corrections to the emergency interim rule to implement reasonable and prudent alternatives to avoid the likelihood that the pollock fisheries off Alaska will jeopardize the continued existence of the western population of

Steller sea lions or adversely modify their critical habitat that was published in the **Federal Register** on January 22, 1999.

DATES: Effective February 16, 1999.

FOR FURTHER INFORMATION CONTACT: Kent Lind, 907-586-7650.

SUPPLEMENTARY INFORMATION: An emergency interim rule was published in the **Federal Register** on January 22, 1999 (64 FR 3437), implementing reasonable and prudent alternatives to avoid the likelihood that the pollock fisheries off Alaska will jeopardize the continued existence of the western population of Steller sea lions or adversely modify their critical habitat.

Need for Correction

The change to § 679.23 is made to avoid conflict with the final rule to implement seasonal and area apportionments of Atka mackerel in the Bering Sea and Aleutian Islands Management Area (63 FR 3446, January 22, 1999).

§ 679.20 [Corrected]

1. On page 3443 and in § 679.20:
 - a. In the first column, in paragraph (a)(5)(i)(C)(2), in line 8, remove the reference “§ 679.23 (e) (4) (ii)” and add in its place, “§ 679.23 (e)(4)(i)”.
 - b. In the second column, in paragraph (a)(5)(i)(C)(3), in line 3, remove the reference “§ 679.23(e)(4)(iii)” and add in its place, “§ 679.23(e)(4)(ii)”.

§ 679.22 [Corrected]

2. On page 3443, in § 679.22 and in the third column:
 - a. In paragraph (a)(11)(iv)(A), in line 14, remove the reference “(a)(7)(iv)(C)” and add in its place, “(a)(11)(iv)(C)”.
 - b. In paragraph (a)(11)(iv)(C)(1), in line 3, remove the reference “(a)(7)(iv)(A)” and add in its place, “(a)(11)(iv)(A)”.
3. On page 3444, in § 679.22 and in the first column:
 - a. In paragraph (a)(11)(iv)(C)(2), in line 11, remove the reference “(a)(7)(iv)(C)(1)” and add in its place, “(a)(11)(iv)(C)(1)”.
 - b. In paragraph (b)(3)(iii), in the next to last line, remove the reference “(b)(2)(iii)(C)” and add in its place, “(b)(3)(iii)(C)”.

§ 679.23 [Corrected]

4. On page 3444, in § 679.23 and in the third column:
 - a. In line 6, redesignate paragraph (e)(4) as (e)(5).

Dated: February 9, 1999.

Andrew A. Rosenberg, Ph.D.,
Deputy Assistant Administrator for Fisheries,
National Marine Fisheries Service.

[FR Doc. 99-3684 Filed 2-16-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 981222313-8320-02; I.D. 021199A]

Fisheries of the Exclusive Economic Zone Off Alaska; Vessels Greater Than 99 feet (30.2 m) LOA Catching Pollock for Processing by the Inshore Component in the Bering Sea

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

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for pollock by vessels greater than 99 feet (30.2 m) length over all (LOA) catching pollock for processing by the inshore component in the critical habitat/catcher vessel operation area (CH/CVOA) of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary because the A1 season limit of pollock total allowable catch (TAC) specified for the inshore component within the CH/CVOA will be reached.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), February 11, 1999, until 1200 hrs, A.l.t., February 20, 1999.

FOR FURTHER INFORMATION CONTACT: Andrew Smoker, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

In accordance with § 679.20(a)(5)(i)(C)(1), and the revised interim 1999 TAC amounts for pollock

in the Bering Sea subarea (64 FR 3437, January 22, 1999) the A1 season limit of pollock TAC specified to the inshore component for harvest within the CH/CVOA is 80,776 metric tons (mt).

In accordance with § 679.22(a)(11)(iv)(A)&(C)(2) the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the A1 season limit of pollock TAC specified to the inshore component for harvest within the CH/CVOA will be reached. The Regional Administrator has estimated that 1,000 mt is likely to be harvested by catcher vessels less than or equal to 99 feet (30.2 m) LOA during the remainder of the A1 season and is reserving that amount to accommodate fishing by such vessels after the closure of the CH/CVOA to vessels greater than 99 feet (30.2 m) LOA.

NMFS is prohibiting directed fishing for pollock by vessels greater than 99 feet (30.2 m) LOA catching pollock for processing by the inshore component within the CH/CVOA conservation zone, as defined at § 679.22(a)(11)(iv)(B).

Maximum retainable bycatch amounts may be found in the regulations at § 679.20(e) and (f).

Classification

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately in order to prevent exceeding the A1 season limit of pollock TAC specified to the inshore component for harvest within the CH/CVOA. A delay in the effective date is impracticable and contrary to the public interest. Further delay would result in noncompliance with reasonable and prudent management measures implemented to promote the recovery of the endangered Steller sea lion. NMFS finds for good cause that the implementation of this action can not be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is required by § 679.22 and is exempt from review under E.O. 12866.

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

Dated: February 11, 1999.

Gary C. Matlock,

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

[FR Doc. 99-3827 Filed 2-11-99; 2:16 pm]

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