

Dated: February 3, 2010.

**Matthew S. Borman,**

*Deputy Assistant Secretary for Export Administration.*

[FR Doc. 2010-3278 Filed 2-18-10; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 15 CFR Part 902

#### 50 CFR Part 300

[Docket No. 070717350-9936-02]

RIN 0648-AV63

#### International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Initial Implementation of the Western and Central Pacific Fisheries Convention; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects the effective date of final regulations published in the Federal Register on January 21, 2010, from February 22, 2010, to April 21, 2010. The rule establishes regulations needed to carry out the obligations of the United States under the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention). The regulations include requirements related to permitting, vessel monitoring systems, vessel observers, vessel markings, reporting and recordkeeping, at-sea transshipment, and boarding and inspection on the high seas, among others. The rule will have the effect of requiring that all relevant U.S. fishing vessels are operated in conformance with the provisions of the Convention.

**DATES:** The effective date of the final regulations published in the Federal Register on January 21, 2010, at 75 FR 3335, is April 21, 2010.

**FOR FURTHER INFORMATION CONTACT:** Tom Graham, NMFS Pacific Islands Region, 808-944-2219.

#### SUPPLEMENTARY INFORMATION:

##### Need for Correction

In the document published January 21, 2010 (75 FR 3335), under the **DATES** section, the effective date of the final rule was erroneously stated as being

February 22, 2010. This document corrects the effective date to read as follows:

**DATES:** This final rule is effective April 21, 2010.

**Authority:** 16 U.S.C. 5501 et seq; 16 U.S.C. 6901 et seq.

Dated: February 12, 2010.

**Samuel D. Rauch III,**

*Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 15 CFR Part 922

[Docket No. 090122043-0025-02]

RIN 0648-AX37

#### Gray's Reef National Marine Sanctuary Regulations on the Use of Spearfishing Gear

**AGENCY:** Office of National Marine Sanctuaries (ONMS), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Final rule.

**SUMMARY:** The National Oceanic and Atmospheric Administration (NOAA) is issuing a final rule to prohibit the use of spearfishing gear in Gray's Reef National Marine Sanctuary (GRNMS or sanctuary). Possession of spearfishing gear is also prohibited except for vessels passing through the sanctuary without interruption, and only when the gear is stowed and not available for immediate use. Spearfishing can selectively target larger fish, and can significantly reduce abundance and alter the relative size structure of target species toward smaller fish. In addition, spearfishing can impact ecosystem health by altering the composition of the overall natural communities of species. The largest fish are important as predators in maintaining a balanced and complete ecosystem; their selective removal may cause ecological imbalance. Therefore, the prohibition provides protection to the fishes and natural live-bottom community for which the sanctuary was designated. The final rule also facilitates enforcement of an existing prohibition against the use of powerheads within the sanctuary. An environmental assessment has been prepared for this proposed action.

**DATES: Effective Date:** These regulations are effective on March 22, 2010.

**ADDRESSES:** Copies of the environmental assessment and the socio-economic study described in this rule are available upon request to Gray's Reef National Marine Sanctuary, 10 Ocean Science Circle, Savannah, GA 31411, Attn: Dr. George Sedberry, Superintendent. These documents can also be viewed on the Web and downloaded at <http://graysreef.noaa.gov>.

**FOR FURTHER INFORMATION CONTACT:** Stewardship Coordinator Becky Shortland at (912) 598-2381.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

###### A. Gray's Reef National Marine Sanctuary

GRNMS was designated as the nation's fourth national marine sanctuary in 1981 for the purposes of protecting the quality of its unique and fragile ecological community; promoting scientific understanding of the live bottom ecosystem; and enhancing public awareness and wise use of this significant regional resource. GRNMS protects 16.68 square nautical miles of open ocean and submerged lands of particularly dense and nearshore patches of productive live bottom habitat. The sanctuary is influenced by complex ocean currents and serves as a mixing zone for temperate (colder water) and sub-tropical species. The series of rock ledges and sand expanses has produced a complex habitat of caves, burrows, troughs, and overhangs that provide a solid base upon which a rich carpet of temperate and tropical marine flora and fauna attach and grow.

This flourishing ecosystem attracts mackerel, grouper, black sea bass, angelfish, and a host of other fishes. An estimated 180 species of fish, encompassing a wide variety of sizes, forms, and ecological roles, have been recorded at GRNMS. Loggerhead sea turtles, a threatened species, use GRNMS year-round for foraging and resting, and the highly endangered northern right whale is occasionally seen in Gray's Reef. GRNMS is one of the most popular sportfishing areas along the Georgia coast.

###### B. Need for Action

This regulation is being promulgated for two reasons. First, the action provides greater protection to sanctuary resources by removing a gear type that can be used to selectively target larger fish, and can thereby negatively alter the size structure of fish populations. While the number of recreational divers spearfishing at GRNMS appears to be