

(5) Whether the contractor selected portions of the work to be performed by MBEs in order to increase the likelihood of meeting the MBE goals (including, where appropriate, breaking down contracts into economically feasible units to facilitate MBE participation);

(6) Whether the contractor provided interested MBEs with adequate information about the plans, specifications and requirements of the contract;

(7) Whether the contractor negotiated in good faith with interested MBEs, not rejecting MBEs as unqualified without sound reasons based on a thorough investigation of their capabilities;

(8) Whether the contractor made efforts to assist interested MBEs in obtaining bonding, lines of credit, or insurance required by the recipient or contractor; and

(9) Whether the contractor effectively used the services of available minority community organizations; minority contractors' groups; local, state and Federal minority business assistance offices; and other organizations that provide assistance in the recruitment and placement of MBEs.

(Title VI of the Civil Rights Act of 1964; Section 30 of the Airport and Airway Development Act of 1970, as amended; Section 905 of the Railroad Revitalization and Regulatory Reform Act of 1976; Section 19 of the Urban Mass Transportation Act of 1964, as amended; 23 U.S.C. 324; Executive Order 11625; Executive Order 12138)

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Research and Special Programs Administration

49 CFR Parts 171 and 178

[Docket No. HM163E; Amdt. Nos. 171-61, 173-146, 177-54, 178-66]

Withdrawal of Bureau of Explosives Delegations of Authority and Miscellaneous Amendments

Correction

In FR Doc. 81-11604, published at page 22194 in the issue of Thursday, April 16, 1981, make the following corrections:

1. on page 22195, second column, the section heading now reading

§ 171.6 Matter incorporated by reference should read

§ 171.7 Matter incorporated by reference.

2. On page 22196, first column, the section heading now reading

§ 17859-16 Porous filling should read

§ 178.59-16 Porous filling.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 671

Commercial Tanner Crab Fishery off the Coast of Alaska

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule.

SUMMARY: The Director, Alaska Region, (Regional Director), National Marine Fisheries Service (NMFS), closes by field order the North Mainland Section of the Kodiak District in Registration Area J to fishing for Tanner crab (*Chionoecetes* spp) by vessels of the United States. This action is necessary because the desired harvest level in this section of the Kodiak District has been reached. The action will prevent overfishing on localized stocks of Tanner crab.

DATES: Effective date: April 22, 1981 until 11:59 p.m., Alaska Daylight Time, April 30, 1981. Comment date: Public Comments must be received on or before May 7, 1981.

ADDRESS: Comments may be sent to Robert W. McVey, Director, Alaska Region, National Marine Fisheries Service, P.O. Box 1668, Juneau, Alaska 99802.

FOR FURTHER INFORMATION CONTACT: Robert McVey, 907-586-7221.

SUPPLEMENTARY INFORMATION: The Fishery Management Plan for the Commercial Tanner Crab Fishery off the Coast of Alaska (FMP) provides for in-season adjustments to fishing seasons and areas. Implementing rules in 50 CFR Part 671 specify in § 671.27(b) that these decisions shall be made by the Regional Director under the criteria set out in that section. On June 17, 1980, the Assistant Administrator for Fisheries, NOAA, delegated to the Regional Director authority to promulgate field orders making in-season adjustments.

50 CFR 671.26(f) creates four districts within Registration Area J. One of these is the Kodiak District which is managed by the Alaska Department of Fish and Game (ADF&G) as eight separate sections. The Tanner crab stock in each section is evaluated individually to determine its abundance and status. Amendment 6 to the FMP will establish the same eight sections to be consistent with the State's management regime; final rules to this effect have not yet been promulgated.

The sections were created, in part, to prevent overfishing of individual Tanner

crab stocks by allowing closure of a particular section when the desired harvest level in that section is reached. The optimum yield is nine to fifteen million pounds for the entire Kodiak District: a guideline harvest level of 1.1 million pounds for the North Mainland Section was adopted by the Alaska Board of Fisheries in December 1980. This harvest level was based on a 40 percent exploitation of the legal size crabs determined to be present following the 1980 indexing survey conducted by ADF&G.

Although the 1981 season opened January 22, active fishing has occurred only since February 25 due to delays in arriving at a price settlement between the fishermen and the processors. The average number of crabs caught per pot has declined from 45 to about 28 since fishing commenced. Catch per unit of effort is less, therefore, than in 1980 when the number of crabs caught per pot started at 70 and declined to 30 by the end of the season. The smaller number of crabs caught per pot this year compared to last year indicates the population size is indeed smaller as predicted by the 1980 survey.

Based on fishery performance and the estimate of stock size the harvest level should be held to 1.1 million pounds. This amount will be harvested by March 12, 1981.

In light of this information, the Regional Director has found that the condition of Tanner crab stocks in the North Mainland Section is substantially different from that anticipated at the beginning of the fishing year, and that this circumstance reasonably supports the closure of the North Mainland Section for the rest of the 1980-81 fishing year rather than at 11:59 p.m., Alaska Daylight Time, on April 30, 1981. Tanner crab may still be taken from January 5 until April 30 in the Kodiak District unless closed by field order, except in that portion of the Kodiak District between 156°20'13"W. longitude (Kilokak Rocks) and 157°35"W. longitude (Cape Kumlik) where Tanner crab may be taken from January 5 through May 15.

Because the information upon which the Regional Director based his finding has only recently become available, it would be impracticable to provide a meaningful opportunity for prior public notice and comment on this field order and still impose the prompt closure which sound conservation of the resource and the prevention of overfishing appear at this point to demand. The Regional Director therefore finds, under 5 USC § 553(b)(B) and (d)(3), and under 50 CFR 671.27(b)(4)(i)