

Quota Adjustments

Under the HMS FMP implementing regulations at 50 CFR 635.27(a)(9), if NMFS determines, based on landings statistics and other available information, that a BFT quota in any category or, as appropriate, subcategory has been exceeded or has not been reached, NMFS shall subtract the overharvest from, or add the underharvest to, that quota category for the following fishing year, provided that the total of the adjusted category quotas and the Reserve is consistent with a recommendation of ICCAT regarding country quotas, the take of school BFT, and the allowance for dead discards. Adjustments to the Angling category, the Longline category, and the Reserve for the 1999 fishing year (June 1, 1999, to May 31, 2000) are necessary to account for underharvest and overharvest of these fishing category quotas during the bridge period from January 1 - May 31, 1999.

Based on reported landings during the bridge period, adjustments are necessary for the Angling, Longline, and Reserve categories. Because no quota of school BFT was allocated to the Angling category for the bridge period of January 1 through May 31, 1999, and an estimated total of 0.17 mt of school BFT were landed during this time, NMFS adjusts the 1999–2000 fishing year school BFT subquota for the southern area from 38 mt to 37.83 mt. Because there were no landings of large school or small medium BFT in the northern area during the bridge period (for which the subquota was 16 mt), NMFS adjusts the 1999–2000 fishing year northern area large school/small medium subquota from 83 mt to 99 mt. Because only 8.62 mt of the 59 mt allocated for the landing of large school or small medium BFT in the southern area during the bridge period was used, NMFS adjusts the 1999–2000 fishing year southern area large school/small medium subquota from 73 mt to 123.38 mt. Finally, because only 3.16 mt of the 4 mt allocated for the landing of large medium or giant BFT in the southern area was used, NMFS adjusts the 1999–2000 fishing year southern area large medium/giant subquota from 4 mt to 4.84 mt.

In the Longline category, landings of large medium and giant BFT by longline vessels in the northern area (1.94 mt) exceeded the bridge period quota for this subcategory of 1 mt. NMFS, therefore, adjusts the 1999–2000 fishing year Longline north subquota from 24 mt to 23.06 mt. Because landings of large medium and giant BFT by longline vessels in the southern area (47.8 mt)

exceeded the bridge period quota for this subcategory of 25 mt, NMFS adjusts the 1999–2000 fishing year Longline north subquota from 89 mt to 66.2 mt.

In addition, quota adjustments are necessary for the Reserve, due to landings during the bridge period and to a prior inseason transfer for the 1999 fishing year. Pursuant to § 285.7 (applicable regulations prior July 1, 1999) and under the authority of the Atlantic Tunas Convention Act, NMFS authorized fisheries biologists from the Stanford Aquarium to conduct research and to initiate studies on the use of pop-up archival tags on small medium, large medium, and giant Atlantic bluefin tuna (BFT) and authorized the North Carolina State University to conduct studies on BFT reproductive biology. These authorized studies have resulted in the landings of 1.27 mt of BFT; these landings have been deducted from the bridge period Reserve of 15 mt. Also, NMFS recently transferred 8 mt of the 1999 Reserve to the Purse Seine category, creating an adjusted Reserve quota of 35 mt for the 1999 fishing season (64 FR 36818, July 8, 1999). The 1999 fishing year Reserve is now further adjusted by the addition of 13.73 mt from the bridge period, for a revised total of 48.73 mt.

Classification

This action is taken under 50 CFR 635.27(a)(7). This action is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: August 27, 1999.

Gary C. Matlock,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[I.D. 082399A]

Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna

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

ACTION: Retention limit adjustment.

SUMMARY: NMFS adjusts the daily retention limit for the Angling category fishery for Atlantic bluefin tuna (BFT) in all areas to two school BFT

(measuring 27 to less than 47 inches (69 to less than 119 cm) curved fork length) and one large school or small medium BFT (measuring 47 to less than 73 inches (119 to less than 150 cm) curved fork length) per vessel. This daily retention limit adjustment is effective September 1 through October 6, 1999, after which it will be one large school or small medium BFT per vessel. This action is being taken to provide increased fishing and data collection opportunities in all areas without risking overharvest of this category.

DATES: The daily retention limit adjustment is effective 1 a.m., local time, September 1, 1999, until 11:30 p.m., local time, October 6, 1999.

FOR FURTHER INFORMATION CONTACT: Pat Scida or Sarah McLaughlin, 978–281–9260.

SUPPLEMENTARY INFORMATION:

Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) and the Magnuson-Stevens Act (16 U.S.C. 1801 *et seq.*) governing the harvest of BFT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 635.

Implementing regulations for the Atlantic tuna fisheries at § 635.23 allow for adjustments to the daily retention limits in order to provide for maximum utilization of the quota spread over the longest possible period of time. NMFS may increase or reduce the per angler retention limit for any size class BFT or may change the per angler limit to a per boat limit or a per boat limit to a per angler limit.

NMFS is responsible for implementing a recommendation of the International Commission for the Conservation of Atlantic Tunas (ICCAT) to limit the catch of school BFT to no more than 8 percent by weight of the total domestic quota over each 4–consecutive-year period. NMFS is implementing this ICCAT recommendation through annual and inseason adjustments to the school BFT landings and school BFT reserve categories, as necessary, and through the establishment of a school BFT reserve (64 FR 29090, May 28, 1999; 64 FR 29806, June 3, 1999). The recent ICCAT recommendation allows NMFS more flexibility to make interannual adjustments for overharvests and underharvests, provided that the 8–percent landings limit is met over the applicable 4–consecutive-year period. This approach provides NMFS with the flexibility to enhance fishing opportunities and the collection of information on a broad range of BFT size classes and responds to requests

from the recreational fishing community for more advance notice of retention limit adjustments and greater certainty in planning for the fishing season.

Since July 26, 1999, NMFS has maintained the daily retention limit at one large school or small medium BFT per vessel. In the announcement for the daily retention limit effective June 25 through July 25, 1999 (64 FR 31992, June 15, 1999), NMFS announced the intention to adjust the daily retention limit once again during late summer and early fall season when BFT have moved further north to the waters off Rhode Island, New York, and northern New Jersey, contingent upon the availability of BFT Angling category quota. NMFS has received comment from mid-Atlantic fishermen, earlier this year and since the June daily retention limit adjustment, that the implementation of an increased daily retention limit over a date-certain period is preferable to a longer season with a lower daily retention limit as it facilitates the scheduling of fishing trips, particularly charter trips. NMFS is encouraged by the positive feedback surrounding the June adjustment and, as information received from fishermen indicates that BFT are available in the northern area (New Jersey and north), has determined that a late-season daily retention limit adjustment is warranted to ensure reasonable fishing opportunities in all geographic areas without risking overharvest.

Landings of the North Carolina winter fishery BFT are deducted from the bridge period in a BFT quota adjustment action published elsewhere in this *Federal Register* issue. Preliminary Large Pelagic Survey estimates of landings for June through August 15, 1999, indicate that approximately 3.2 metric tons (mt) of school BFT and approximately 39 mt of large school/small medium BFT have been landed; reported landings of large medium and giant BFT total approximately 3.1 mt.

NMFS adjusts the BFT Angling category daily retention limit for all areas to two school BFT (measuring 27 to less than 47 inches (69 to less than 119 cm) curved fork length) and one large school or small medium BFT (measuring 47 to less than 73 inches (119 to less than 150 cm) curved fork length) per vessel.

This daily retention limit adjustment is effective September 1 through October 6, 1999, after which it will be one large school or small medium BFT per vessel. The daily retention limit and the duration of daily retention limit adjustment have been selected based on an examination of past catch and effort rates. NMFS will continue to monitor

the Angling category fishery closely through the Automated Catch Reporting System, the state harvest tagging programs in North Carolina and Maryland, and the Large Pelagic Survey. Depending on the level of fishing effort and catch rates of BFT, NMFS may determine that an interim closure or additional retention limit adjustment is necessary to enhance scientific data collection from, and fishing opportunities in, all geographic areas. Additionally, NMFS may determine that an allocation from the school BFT reserve is warranted to further fishery management objectives.

Closures or subsequent adjustments to the daily retention limit, if any, shall be announced through publication in the **Federal Register**. In addition, anglers may call the Atlantic Tunas Information Line at 888-USA-TUNA (888-872-8862) or 978-281-9305 for updates on quota monitoring and retention limit adjustments. Anglers aboard Charter/Headboat category vessels, when engaged in recreational fishing for school, large school, and small medium BFT, are subject to the same rules as anglers aboard Angling category vessels. All BFT landed under the Angling category quota must be reported within 24 hours of landing to the NMFS Automated Catch Reporting System by calling 888-USA-TUNA (888-872-8862) or, if landed in the states of North Carolina or Maryland, to a reporting station prior to offloading. Information about these state harvest tagging programs, including reporting station locations, can be obtained in North Carolina by calling (800) 338-7804, and in Maryland by calling (410) 213-1531.

Classification

This action is taken under 50 CFR 635.23(b)(3). This action is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: August 27, 1999.

Gary C. Matlock,

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National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

RIN 0648-AM20

[Docket No. 990823233-9233-01; I.D. 072799C]

Fisheries off West Coast States and in the Western Pacific; Northern Anchovy Fishery; Quotas for the 1999-2000 Fishing Year

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

ACTION: Interim final quotas.

SUMMARY: NMFS announces the interim final harvest quotas for the northern anchovy fishery in the exclusive economic zone south of Point Reyes, California, for the 1999-2000 fishing year. These quotas were established according to the current regulations implementing the Northern Anchovy Fishery Management Plan (FMP). Amendment 8 to the FMP, which was partially approved by NMFS on June 10, 1999, will change the methodology of establishing the quota. However, the final rule implementing Amendment 8 was not published by August 1, when the fishery began. Therefore, existing regulations must be used to set the quotas for the 1999-2000 fishing season. The intended effect of this action is to establish allowable harvest levels for the central subpopulation of northern anchovy.

DATES: Effective August 27, 1999. Comments will be accepted until September 27, 1999.

ADDRESSES: Submit comments on the interim final quotas to Rodney R. McInnis, Acting Administrator, Southwest Region, (Regional Administrator), NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213. Administrative Reports LJ-95-11 and LJ-97-08 are available from this same address.

FOR FURTHER INFORMATION CONTACT: James J. Morgan, Southwest Region, NMFS, (562) 980-4030.

SUPPLEMENTARY INFORMATION: In consultation with the California Department of Fish and Game and with the NMFS Southwest Fisheries Science Center, the Administrator, Southwest Region, NMFS, has decided to use the 1995 estimate of 388,000 metric tons (mt) spawning biomass for the central subpopulation of northern anchovy, *Engraulis mordax*, to set interim harvest