

longline gear in Atlantic Ocean and Gulf of Mexico waters (64 FR 69982, December 15, 1999). The Council is concerned that these proposals, if implemented, could result in a shift in effort from the pelagic longline fishery to the reef fish bottom longline fishery or other reef fish fisheries. Such effort shift could have an adverse impact on the allocation of the available reef fish resources among historical participants. The Council is also concerned about the incidental mortality of non-targeted species, impacts on essential fish habitat, and ghost fishing of unattended or abandoned gear. For these reasons, the Council is considering the need to evaluate the use of gears in the commercial reef fish fishery, and possibly to recommend limits on the use of some gears to ensure a fair and equitable allocation of the available resources, prevent overfishing and habitat destruction, and minimize bycatch mortality.

Commercial harvest of reef fish from the EEZ of the Gulf of Mexico using several gears or harvest methods is currently prohibited. Under 50 CFR 622.31, explosives and poison may not be used to fish for reef fish, and the possession of explosives onboard a vessel that is fishing in the EEZ for reef fish or that has a Federal vessel fishing permit for reef fish is prohibited. Under 50 CFR 622.39(a)(2), vessels that have trawl gear or entangling net gear onboard are restricted to the recreational bag and possession limits of reef fish (which cannot be sold). FMP Amendment 5 imposed a moratorium in 1994 on the number of vessels authorized to fish for reef fish using fish traps. FMP Amendment 14 established a limited entry system for the fish trap fishery and prohibits the use of fish traps to fish for reef fish in the EEZ after February 7, 2007.

NMFS published a final rule in the **Federal Register** (64 FR 67511, December 2, 1999) that lists authorized fisheries and fishing gear (LOF) for each fishery under the authority of a regional fishery management council or under the authority of the Secretary of Commerce (Secretary) with respect to Atlantic highly migratory species (HMS). Any person intending to fish with a gear or in a fishery in the EEZ not included in the LOF must give a 90-day advance notice to the appropriate regional fishery management council or to the Secretary with respect to HMS. For the Gulf of Mexico commercial reef fish fishery, the LOF listed the authorized gears as traps, pots, longline, buoy gear, handline, rod-and-reel, bandit gear, spear, powerhead, castnet, and trawl.

Implementation of an effort limitation program for gear used in the Gulf of Mexico reef fish fishery in the EEZ would require the Council's preparation of an FMP amendment and its submission to NMFS for Secretarial review, approval, and implementation. Under Secretarial review, NMFS would make the FMP amendment and its proposed rule available for public comment.

As the Council considers management options, some fishermen who do not currently participate in the commercial reef fish fishery with a particular gear, and have never done so, may decide to use that gear in the fishery for the sole purpose of establishing a record of landings. To avoid this first-time use of gear in order to establish a record of landings, the Council has established July 12, 2000 as a control date for gear eligibility. After that date, anyone not already using a particular gear, may not be eligible to continue using it if a management regime is developed and implemented limiting the number of fishery participants authorized to use that gear.

This notice of control date for gear eligibility applies to all gears listed in the LOF for the commercial reef fish fishery of the Gulf of Mexico, except for pots and traps, castnets, and trawls. Reef fish traps and pots are already under a limited entry system; therefore, application of this control date to reef fish traps and pots is unnecessary and inappropriate. Castnets are included in the LOF to allow fishermen to catch bait while on a reef fish trip but are not used to harvest reef fish directly. It is, therefore, unnecessary to include castnets in this notice of control date for gear eligibility. Bag and possession limits for Gulf reef fish apply to a person aboard a vessel with trawl gear onboard. Because the bag limits cannot be sold, such trawl gear is already excluded from the commercial reef fish fishery. However, groundfish vessels with bottom trawls may include reef fish bycatch in their unsorted catch. Because groundfish trawl vessels land their catch unsorted, it is impracticable to separate and release the reef fish bycatch. Consequently, groundfish vessels are exempted from the requirements for reef fish vessel permits, minimum size limits, bag limits, and quota closures. Groundfish trawls comprise a small fishery in the northern Gulf of Mexico, and are included in the LOF to accommodate the reef fish bycatch.

Announcement of a control date for gear eligibility does not commit the Council or NMFS to any particular management regime or criteria for

authorization to use a gear in the commercial reef fish fishery. Fishermen are not guaranteed future participation with that gear in the fishery regardless of their entry date or intensity of participation in the fisheries before or after the control date for gear eligibility under consideration. The Council subsequently may choose a different control date for gear eligibility date or it may choose a management regime that does not make use of such a date. The Council may choose to give variably weighted consideration to fishermen active in the fishery with the gear before and after the control date for gear eligibility. Other qualifying criteria, such as documentation of landings and sales, may be applied for entry. The Council also may choose to take no further action to control use of gear in the fishery, in which case the control date for gear eligibility may be rescinded.

This advanced notice or proposed rulemaking has been determined to be not significant for purposes of E. O. 12866.

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

Dated: July 6, 2000.

Penelope D. Dalton,

*Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

[FR Doc. 00-17629 Filed 7-11-00; 8:45 am]

BILLING CODE 3510-22-F

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[I.D. 070300B]

New England Fishery Management Council; Meeting

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

ACTION: Public meeting.

SUMMARY: The New England Fishery Management Council (Council) will hold a 2-day public meeting on July 26 and 27, 2000, to consider actions affecting New England fisheries in the exclusive economic zone (EEZ).

DATES: The meeting will be held on Wednesday, July 26, 2000, beginning at 9:30 a.m. and Thursday, July 27, at 8:30 a.m.

ADDRESSES: The meeting will be held at the Doubletree Hotel—Portland, 1230 Congress Street, Portland, ME 04102; telephone (207) 774-5611. Requests for

special accommodations should be addressed to the New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950; telephone (978) 465-0492.

FOR FURTHER INFORMATION CONTACT: Paul J. Howard, Executive Director, New England Fishery Management Council (978) 465-0492.

SUPPLEMENTARY INFORMATION:

Wednesday, July 26, 2000

After introductions, the meeting will begin with a Stock Assessment Public Review Workshop. Staff from NMFS's Northeast Fisheries Science Center will present an advisory report on the status of monkfish, with brief updates on the scup, summer flounder and ocean quahog resources. A report from the Groundfish Committee will follow. It will include a lengthy discussion of possible management approaches to Amendment 13 to the Northeast Multispecies Fishery Management Plan for purposes of further consideration and development. Updates on management issues concerning spiny dogfish, sea scallops and the Council's Research Steering Committee will occur later in the day.

Thursday, July 27, 2000

The second day of the meeting will begin with reports on recent activities

from the Council Chairman, the Executive Director, the NMFS Regional Administrator, the Northeast Fisheries Science Center and Mid-Atlantic Fishery Management Council liaisons, and representatives of the Coast Guard, NMFS Enforcement, and the Atlantic States Marine Fisheries Commission. The Council's Magnuson-Stevens Act Committee will review comments developed on the reauthorization bills currently before Congress. During the Herring Committee Report to follow, Council staff will present the annual Stock Assessment and Fishery Evaluation (SAFE) Report for herring. The Council also will discuss the Scientific and Statistical Committee's review of SAFE Report elements and approve the annual herring specification recommendations to be forwarded to NMFS for the 2001 fishing year. The Council meeting will adjourn after addressing any other outstanding business.

Although other non-emergency issues not contained in this agenda may come before this Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-

Stevens Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

The New England Council will consider public comments at a minimum of two Council meetings before making recommendations to the National Marine Fisheries Service Regional Administrator on any framework adjustment to a fishery management plan. If she concurs with the adjustment proposed by the Council, the Regional Administrator has the discretion to recommend publication of the action either as proposed or final regulations in the **Federal Register**. Documents pertaining to framework adjustments are available for public review 7 days prior to a final vote by the Council.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least five days prior to the meeting date.

Dated: July 6, 2000.

Richard W. Surdi,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 00-17630 Filed 7-11-00; 8:45 am]

BILLING CODE 3510-22-F