

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 99-75, adopted September 13, 2000, and released September 22, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 445 12th Street, SW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336.

2. Section 73.202(b) the FM Table of Allotments under New Mexico is amended by removing Channel 264C2 at Grants and adding Milan, Channel 264A.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 00-25735 Filed 10-5-00; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 600 and 660

[Docket No. 991223347-9347; I.D. 092800C]

Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Trip Limit Adjustments

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

ACTION: Fishing restrictions; request for comments.

SUMMARY: NMFS announces changes to the limited entry and open access trip limits in the Pacific coast groundfish fishery. This document also announces the last cumulative trip limit period in 2000 for the "B" platoon, those limited entry trawl vessels designated to take

their cumulative trip limits 2 weeks out of phase with the rest of the fleet. These actions, which are authorized by the Pacific Coast Groundfish Fishery Management Plan (FMP,) are intended to help the fisheries achieve optimum yield (OY) while still protecting overfished and depleted stocks.

DATES: Changes to management measures are effective 0001 hours (local time) October 2, 2000, unless modified, superseded, or rescinded. These changes are effective until the effective date of the 2001 annual specifications and management measures for the Pacific coast groundfish fishery, which will be published in the **Federal Register**. Comments on this rule will be accepted through October 23, 2000.

ADDRESSES: Submit comments to Donna Darm, Acting Administrator, Northwest Region (Regional Administrator), NMFS, 7600 Sand Point Way N.E., BIN C15700, Bldg. 1, Seattle, WA 98115-0070; or Rebecca Lent, Administrator, Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213.

FOR FURTHER INFORMATION CONTACT: Yvonne deReynier or Becky Renko (Northwest Region, NMFS) 206-526-6140.

SUPPLEMENTARY INFORMATION: The following changes to current management measures were recommended by the Pacific Fishery Management Council (Council,) in consultation with the States of Washington, Oregon, and California, at its September 11-15, 2000, meeting in Sacramento, CA. Pacific coast groundfish landings will be monitored throughout the year, and further adjustments to the trip limits will be made as necessary to stay within the OYs and allocations announced in the 2000 annual specifications and management measures for the groundfish fishery (65 FR 221, January 4, 2000, as amended at 65 FR 4169, January 26, 2000; 65 FR 17805, April 5, 2000; 65 FR 25881, May 4, 2000; 65 FR 31283, May 17, 2000; 65 FR 33423, May 23, 2000; and 65 FR 45308, July 21, 2000).

Yellowtail Rockfish Taken in Limited Entry Trawl Fisheries for Flatfish; Yellowtail Rockfish, Arrowtooth Flounder, and Other Flatfish in Limited Entry Trawl Fisheries

During the winter months, yellowtail rockfish tend to move to rockier habitats and are not as closely associated with flatfish as they are during the summer months. To make yellowtail rockfish and flatfish management more consistent with natural catch association patterns, and to reduce

discards of yellowtail rockfish taken with small footrope bottom trawl gear by vessels fishing for flatfish, per-trip limits for yellowtail rockfish taken with small footrope bottom trawl gear were introduced in July (65 FR 45308, July 21, 2000). At its September meeting, the Council recommended maintaining a per-trip limit for yellowtail rockfish taken with small footrope bottom trawl gear through the November to December period. The per-trip limit during the July to October period is equivalent to the sum of 33 percent (by weight) of all flatfish except arrowtooth flounder, plus 10 percent (by weight) of arrowtooth flounder, not to exceed 7,500 lb (3,402 kg). During the November to December cumulative trip limit period, the flatfish fishery is concentrated in depths that have less association with yellowtail rockfish; therefore, the Council recommended decreasing the per-trip limit to the sum of 33 percent (by weight) of all flatfish except arrowtooth flounder, plus 10 percent (by weight) of arrowtooth flounder, not to exceed 2,500 lb (1,134 kg).

Through August 31, 2000, only 21.1 percent of the OY for yellowtail rockfish set aside for the limited entry fishery north of Cape Mendocino (40° 10' N. lat.) had been landed. To allow fishers access to these stocks without exceeding 2000 OYs, the Council recommended increasing the yellowtail rockfish 2-month cumulative limit for the November to December period from the previously established 10,000 lb (4,536 kg) to 30,000 lb (13,608 kg). Yellowtail rockfish taken in the flatfish fisheries and subject to the 2,500 lb per-trip limit would also be subject to the 2-month cumulative limit.

The Council also recommended increasing the per-trip limit for arrowtooth flounder taken with large or small footrope bottom trawl from the prior recommended 10,000 lb (4,536 kg) to 20,000 lb (9,072 kg) per trip. Because arrowtooth flounder are not a high-value species, this limit is not expected to increase targeted effort on that species.

To allow fishers access to "other flatfish" without exceeding 2000 OYs, the Council recommended increasing the limit for other flatfish taken with large footrope bottom trawl from 400 lb (181 kg) per trip to 1,000 lb (454 kg) per trip for the November-December period. Other flatfish means all flatfish listed at 50 CFR 660.302 except those with species-specific trip limits and rex sole.

Limited Entry Trawl and Fixed Gear, and Open Access Minor Slope Rockfish South of 40°10' N. lat.

Throughout 2000, minor slope rockfish landings south of 40°10' N. lat.

have been slow. The best available information at the September Council meeting indicated that limited entry fisheries south of 40°10' N. lat. had landed 11.6 percent of slope rockfish set aside for those fisheries in 2000, and that open access fisheries had landed only 4.4 percent of its minor slope rockfish allocation, through the end of August 2000. Given these low landings rates, the Council recommended increasing cumulative landings limits to levels that would allow higher landings without jeopardizing overfished and depleted stocks. The Council recommended increasing the limited entry minor slope rockfish 2-month cumulative landings limit for both trawl and fixed gear south of 40°10' N. lat. from 7,000 lb (3,175 kg) to 20,000 lb (9,072 kg) for the September to October trip limit period. For the November to December period the Council recommended setting the limited entry cumulative limit previously announced for minor slope rockfish south of 40°10' N. lat. from 1,500 lb per month (680 kg) to 10,000 per month (4,536 kg) for the trawl fishery and from 1,500 lb (680 kg) per month to 20,000 lb (9,072 kg) 2-month period for the fixed gear fleet. The open access, minor slope rockfish 2-month cumulative limit south of 40°10' N. lat. are increased from 1,000 lb (454 kg) (454 kg) to 3,000 lb (1,361 kg) for the September to October period and from 500 lb (227 kg) to 3,000 lb (1,361 kg) for the November to December period.

Limited Entry Trawl Fishery for Sablefish; Limited Entry, Fixed Gear and Open Access Daily Trip Limit Fisheries for Sablefish North of 36° N. lat.

The best available information through August 31, 2000, indicates that the landings of sablefish in the limited entry trawl fishery were at 42.0 percent of the 2000 allocation for that fishery. To allow limited entry trawl fishers access to sablefish without exceeding 2000 OYs, the Council recommended increasing the 2-month cumulative limit from 10,000 lb (4,536 kg) (4,536 kg) to 12,000 lb (5,443 kg) for the September to October period and increasing the previously announced 1-month limit of 3,500 lb (1,588 kg) to 6,000 lb (2,722 kg) for the November to December period.

Sablefish in the southern areas tend to be smaller than those in the northern areas. To reduce the discard of small fish that are otherwise marketable, fishers requested that the Council remove the per-trip limit of 500 lb (227 kg) for sablefish smaller than 22 inches (56 cm). In response to this request, the council recommended removing the

length requirement for the remainder of 2000.

Similarly, daily trip limit sablefish landings in both the 2000 limited entry fixed gear and open access fisheries have been relatively low through the spring and summer months. The best available information at the September Council meeting indicated that limited entry fixed gear fisheries through July, had landed 21.1 percent of the sablefish set aside for daily landings, and that the open access fisheries through August, had landed 14.5 percent of their sablefish allocation. The limited entry and open access daily trip limit fisheries for sablefish north of 36° N. lat. are restricted by a 300-lb (136-kg) per day limit in combination with a 2-month cumulative limit. For the limited entry fixed gear fishery, the Council recommended increasing the daily limit from 300 lb (136 kg) per day to 400 lb (181 kg) per day and adding an option which allows fishers instead to opt to make one landing per week above 400 lb (181 kg) and not to exceed 1,000 lb (454 kg). Under either option the fishery is not to exceed the 2-month cumulative limit. The 2-month cumulative limit was increased from 3,330 lb (1,497 kg) to 8,000 lb (3,629 kg) for the September to October period and increased from the prior recommended 2,400 lb 2-month limit to 8,000 lb (3,629 kg) for the November to December period. As announced in the annual specifications and management measures (65 FR 221, January 4, 2000), 1 week means 7 consecutive days, Sunday through Saturday.

For the open access fixed gear fishery, the Council recommended keeping the daily limit at 300 lb (136 kg) per day, but also included an option which allows fishers to make one weekly landing above 300 lb (136 kg), but not to exceed 1,200 lb (544 kg). To allow the open access fishery a chance to harvest their sablefish allocation without exceeding 2000 OYs, the Council recommended removing the cumulative limits for the remainder of 2000.

Limited Entry Fixed Gear and Open Access Fisheries for Minor Nearshore Rockfish North and South

Minor nearshore rockfish landings in the limited entry and open access fisheries have been low throughout 2000. The best available information at the September Council meeting indicated that limited entry fisheries had landed 10.3 percent of the allocation for that fishery north of 40°10' N. lat., and 8.8 percent of the allocation for that fishery south of 40°10' N. lat., through August 31, 2000. Similarly, the best available information

at that meeting indicated that open access fisheries had landed 36.9 percent of the allocation for that fishery north of 40°10' N. lat., and 16.3 percent of the allocation for that fishery south of 40°10' N. lat. To allow fishers access to these stocks without exceeding 2000 OYs, the Council recommended significant increases to the minor nearshore rockfish landings limits for both the limited entry fixed gear and open access fisheries.

North of 40°10' N. lat. and starting October 2, 2000, the Council recommended increasing the limited entry minor nearshore rockfish fixed gear limit for the September to October period from 5,000 lb (2,268 kg) to 10,000 lb (4,536 kg) per 2-month period, with the sublimit for minor nearshore rockfish other than blue or black rockfish increasing from 1,800 lb (816 kg) to 4,000 lb (1,814 kg) per 2-month period. The previously recommended 3,000 lb (1,361 kg) per 2-month period for the November to December period will also be increased to 10,000 lb (4,536 kg) with the sublimit for minor nearshore rockfish other than blue or black rockfish increasing from the previously recommended 1,400 lb (635 kg) to 4,000 lb (1,814 kg) per 2-month period.

The 2-month cumulative limit for the open access fishery of minor nearshore rockfish north of 40°10' N. lat. starting October 2, 2000, increases from 3,000 lb (1,361 kg) to 6,000 lb (2,722 kg), with the sublimit for minor nearshore rockfish other than blue or black rockfish increasing from 900 lb (408 kg) to 2,000 lb (907 kg). For the November to December period the 2-month cumulative limit increases from the previously recommended 1,000 lb (454 kg) to 6,000 lb (2,722 kg), with the sublimit for minor nearshore rockfish other than blue or black rockfish increasing from the previously recommended 500 lb (227 kg) to 2,000 lb (907 kg).

Lingcod and rockfish are taken in the recreational fishery in waters (0-3 nm) managed by the State of California. To ensure the pre-season estimates for overfished species off California (bocaccio, lingcod, canary rockfish, cowcod) are not exceeded, the State may take actions to prohibit recreational landings in State waters. Recreational fishery closures south of Point Conception (34°27' N. lat.) are likely to occur in late 2000. The State of California Fish and Game Commission is scheduled to meet in October, during which time they will review the best available landings data and make recommendations on recreational fishery management in California

waters. The Council asked NMFS to coordinate with the State of California to implement consistent changes in Federal waters (3-200 nm offshore) to prevent OYs of rockfish and lingcod from being exceeded.

Actions that may be taken by the State of California, and recommended by NMFS, to prevent excess harvest may include prohibiting further taking, retaining, possessing or landing of minor nearshore rockfish in the limited entry and open access fixed gear fisheries south of 34°27' N. lat. during the November to December period. Any such actions will be published in the **Federal Register**. To allow commercial harvest in the nearshore rockfish fisheries, with the least impact on overfished species, the Council recommended establishing separate cumulative trip limits for the area between 40°10' N. lat. and 34°27' N. lat., and the area south of 34°27' N. lat. Beginning, October 2, 2000, in the limited entry fixed gear fishery for minor nearshore rockfish between 40°10' N. lat. and 34°7' N. lat., the 2-month cumulative trip limit for increases from 2,000 lb (907 kg) to 6,000 lb (2,722 kg), continuing through December replacing the previously recommend 2-month limit of 1,300 (590 kg) for the November to December period. The open access minor nearshore rockfish 2-month cumulative

limit for the fishery between of 40°10' N. lat. and 34° 27' N. lat. increases from 1,600 lb (726 kg) to 4,000 lb (1,814 kg) per 2-month period beginning October 1, and continues through December. This replaces the previously recommend 2-month limit of 800 lb (363 kg) for the November to December period.

The limited entry fixed gear minor nearshore rockfish 2-month cumulative limit for the fishery south of 34°27' N. lat. will be increased from 2,000 lb (907 kg) to 9,000 lb (4,082 kg) for the September to October period, and from 1,300 lb (590 kg) to 3,000 lb (1,361 kg) for the November to December period. The open access (fixed gear) minor nearshore rockfish 2-month cumulative limit for the area south of 34°27' N. lat. will be increased from 1,600 lb (726 kg) to 6,000 lb (2,722 kg) for the September to October period, and from 800 lb (363 kg) to 2,000 lb (907 kg) for the November to December period.

Final Period for the "B" Platoon

NMFS also announces the last cumulative trip limit period in 2000 for the "B" platoon i.e., those limited entry trawl vessels designated (on their limited entry permit) to take their cumulative trip limits 2 weeks out of phase with the rest of the fleet. For vessels in the "B" platoon, the final cumulative trip limit period will be

from November 16, 2000, through December 31, 2000. At any time during this period, each vessel in the "B" platoon is allowed to take and retain, possess, or land the equivalent of two 1-month cumulative limits (the November and December cumulative trip limits). For species for which there are 2-month cumulative limits, the vessels in the "B" platoon must take the final 2-month cumulative limit during the final period from November 16, 2000, through December 31, 2000.

NMFS Actions

For the reasons stated here, NMFS concurs with the Council's recommendations and announces the following changes to the 2000 annual management measures (65 FR 221, January 4, 2000, as amended at 65 FR 4169, January 26, 2000; 65 FR 17805, April 5, 2000; 65 FR 25881, May 4, 2000; 65 FR 31283, May 17, 2000; 65 FR 33423, May 23, 2000; and at 65 FR 45308, July 21, 2000) as follows:

In Section IV, under B. Limited Entry Fishery, Tables 3 and 4 are revised, and under C. Trip Limits in the Open Access Fishery, Table 5 is revised to read as follows:

IV. NMFS Actions

B. Limited Entry Fishery

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Table 3. 2000 Trip Limits 1/ and Gear Requirements 2/ for Limited Entry Trawl Gear

Read Section IV. A. NMFS Actions before using this table.

line	Species/groups	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
1	Minor slope rockfish						
2	North	3,000 lb / 2 months		5,000 lb / 2 months			1,500 lb / month
	South			May-Jun, 5,000 lb / 2 months		Sep-Oct, 20,000 lb / 2 months	10,000 lb / month
3		3,000 lb / 2 months					
4	Splitnose-South	8,500 lb / 2 months		14,000 lb / 2 months			4,000 lb / month
5	POP-North	500 / month		2,500 lb / month			500 lb / month
6	Sablefish	7,000 lb / 2 months; 22-inch size limit 3/		May-Aug, 10,000 lb / 2 months; 22-inch size limit 3/; Sep-Oct 12,000 lb/2 months no size limit			6,000 lb / month no size limit
7	Longspine thornyhead	12,000 lb / 2 months		4,000 lb / 2 months			6,000 lb / month
8	Shortspine thornyhead	3,000 lb / 2 months		1,000 lb / 2 months			1,500 lb / month
9	Dover sole	55,000 lb / 2 months		20,000 lb / 2 months			20,000 lb/ month
	Arrowtooth flounder	10,000 lb / trip		Small footrope: May-Oct, no pound limit 2/; Large footrope: May-Jun, in "other flatfish" limit; Jul-Oct, 5,000 lb/trip			20,000 lb / trip
10	Petrale sole	No restriction	Small footrope required	Small footrope—No pound limit; Large footrope—Included in "other flatfish" trip limit 2/			No restriction
11							
12	Rex sole	No limit					
	Other flatfish 4/						
13		Jan- Dec, Small footrope—No pound limit; Jan-Oct, Large footrope—400 lb per trip; Nov-Dec Large footrope--1,000 lb per trip 2/					
14	Whiting shoreside 5/	20,000 lb / trip		Primary season			20,000 lb / trip
15		before primary season					after primary season
16	Use of small footrope bottom trawl or midwater trawl required for landing all the following species: 6/						
17	Minor Shelf rockfish						
18	North	300 lb / month		1,000 lb / month			300 lb / month
	South	500 lb / month		May-Jul, 1,000 lb / month; Oct, 500 lb / month		Aug-	500 lb / month
19							
20	Canary rockfish	100 lb / month		300 lb / month			100 lb / month
21	Widow rockfish						
22	mid-water trawl	30,000 lb / 2 months		30,000 lb / 2 months			30,000 lb / 2 months
23	small footrope trawl	1,000 lb / month		1,000 lb / month			1,000 lb / month
24	Yellowtail-North 7/						
25	mid-water trawl	10,000 lb / 2 months		30,000 lb / 2 months			30,000 lb / 2 months
	small footrope trawl	1,500 lb / month		May-Jun, 1,500 lb / month; Jul-Oct, per trip limit is sum of 33 percent (by weight) of all flatfish except arrowtooth flounder, plus 10 percent (by weight) of arrowtooth flounder; not to exceed 7,500 lb/trip, and 30,000 lb/2 months. Yellowtail rockfish may not be landed without flatfish.		Per trip limit is sum of 33 percent (by weight) of all flatfish except arrowtooth flounder, plus 10 percent (by weight) of arrowtooth flounder, not to exceed 2,500 lb/trip, and 30,000 lb/2 months. Yellowtail rockfish may not be landed without flatfish.	
26							
27	Bocaccio-South 7/	300 lb / month		500 lb / month			300 lb / month
28	Chilipepper-South 7/						
29	mid-water trawl	25,000 lb / 2 months		25,000 lb / 2 months			25,000 lb / 2 months
30	small footrope trawl	7,500 lb / 2 months		7,500 lb / 2 months			7,500 lb / 2 months
31	Cowcod - South 7/	1 fish per landing		1 fish per landing			1 fish per landing
32	Minor Nearshore rockfish						
33	North and South	200 lb / month		200 lb / month			200 lb / month
34	Lingcod	CLOSED		400 lb / month; 24-inch size limit 8/			CLOSED

1/ Trip limits apply coastwide unless otherwise specified. North means 40°10' N.lat. to the US-Canada border.

"South" means 40°10' N.lat. to the US-Mexico border. 40°10' N.lat. is about 20 nm south of Cape Mendocino CA.

2/ Gear requirements and prohibitions are explained at paragraph IV.A.(14).

3/ No more than 500 lb/trip of sablefish smaller than 22 inches (56 cm) total length, which counts toward cumulative limit.

4/ Other flatfish means all flatfish at 50 CFR 660.302 except those in this Table 3 with a trip limit (excludes rex sole and arrowtooth flounder.)

5/ The whiting "per trip" limit in the Eureka area inside 100 fm is 10,000 lb / trip throughout the year (See IV.B.(3)(c)).

6/ Small footrope trawl means a bottom trawl net with a footrope no larger than 8 inches (20 cm) in diameter.

Midwater gear also may be used; the footrope must be bare. See paragraph IV.A.(14).

7/ Yellowtail rockfish and POP in the south and bocaccio, chilipepper, and cowcod rockfishes in the north are included in the trip limits for minor shelf rockfish in the appropriate area (Table 2).

8/ Lingcod must be greater than or equal to 24 inches (61 cm) total length. See IV.A.(6).

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

Table 4. 2000 Trip Limits 1/ for Limited Entry Fixed Gear

Read Section IV. A. NMFS Actions before using this table.

line	Species/groups	JAN-FEB	MAR-APR	MAY-JUN	JULY-AUG	SEP-OCT	NOV-DEC
1	Minor slope rockfish						
2	North	3,000 lb / 2 months			5,000 lb / 2 months		1,500 lb / month
	South			May-Jun, 5,000 lb / 2 months;	Jul-Aug, 7,000 lb / 2 months;	Sep-Oct, 20,000 lb / 2 months	20,000 lb / 2 months
3		3,000 lb / 2 months					
4	Splitnose-South	8,500 lb / 2 mo.			14,000 lb / 2 months		4,000 lb / month
5	POP-North	500 lb / month			2,500 lb / month		500 lb / month
6	Sablefish (daily trip limit fishery) 2/						
7	North of 36° N. lat.	300 lb/day, 2,100 lb/2 mo OR 1 landing between 300 lb and 600 lb/ week, less than 1,800 lb/2 mo		May-Jun, 300 lb / day, 2,400 lb / 2 mo;	Jul-Aug, 300 lb / day, 3,300 lb / 2 mo;	Sep-Oct, 400 lb / day or 1,000 lb per week, with less than 8,000 lb / 2 months	400 lb/day or 1,000 lb per week, with less than 8,000 lb / 2 months
8	South of 36° N. lat.			350 lb/day or 1 landing above 350 lb/week, up to 1,050 lb			
9	Longspine thornyhead	12,000 lb / 2 months			4,000 lb / 2 months		6,000 lb / month
10	Shortspine thornyhead	1,000 lb / month			1,000 lb / month		1,000 lb / month
11	Dover sole	55,000 lb / 2 months			20,000 lb / 2 months		20,000 / month
12	Arrowtooth flounder	10,000 lb / trip			No restriction		10,000 lb / trip
13	Petrale sole	No restriction			No restriction		No restriction
14	Rex sole	No restriction			No restriction		No restriction
15	Other flatfish 3/	No restriction			No restriction		No restriction
16	Shoreside whiting 4/	20,000 lb / trip			Open		20,000 lb / trip
17	Minor shelf rockfish						
18	North	300 lb / month			1,000 lb / month		300 lb / month
19	South	500 lb / month 5/		May-Jul, 1,000 lb/month; Aug-Oct, 500 lb/month			500 lb / month
20	Canary-Coastwide						
21	North	100 lb / month			300 lb / month		100 lb / month
22	South	100 lb / month 5/			300 lb / month		100 lb / month
23	Widow rockfish-Coastwide:						
24	North	3,000 lb / month			3,000 lb / month		3,000 lb / month
25	South	3,000 lb/month 5/			3,000 lb / month		3,000 lb / month
26	Yellowtail-North 6/	1,500 lb / month			1,500 lb / month		1,500 lb / month
27	Bocaccio-South 6/	300 lb / month 5/			500 lb / month		300 lb / month
28	Chillipepper-South 6/	2,000 lb / month 5/			2,000 lb / month		2,000 lb / month
29	Cowcod - South 6/				1 fish per landing 5/		
30	Minor nearshore rockfish						
31	North 7/ 8/	2,400 lb/2 months, of which no more than 1,200 lb may be species other than black or blue rockfish		May-Jun, 3,000 lb/2 months, of which no more than 1,400 lb may be species other than black or blue rockfish;	Jul- Aug, 5,000 lb/2 months of which no more than 1,800 lb may be species other than black or blue rockfish;	Sep-Oct, 10,000 lb/2 months of which no more than 4,000 lb may be species other than black or blue rockfish	10,000 lb/2 months, of which no more than 4,000 lb may be species other than black or blue rockfish
32	South	1,000 lb / 2 months 5/		May-Jun, 1,300 lb/2 months	Jul-Aug, 2,000 lb / 2 months	Sep-Oct, 6,000 lb / 2 months from 40° 10' N.lat. to 34° 27' N.lat. 9,000 lb / 2 months south of 34° 27' N.lat.	6,000 lb / 2 months from 40° 10' N.lat. to 34° 27'; 3,000 lb / 2 months south o 34° 27' N.lat.
33							
34	Lingcod 8/	CLOSED			400 lb / month		CLOSED

1/ Trip limits apply coastwide unless otherwise specified. North means 40°10' N.lat. to the US-Canada border.

South means 40°10' N. lat. to the US-Mexico border.

2/ The sablefish size limit applies only during the "regular" and "mop-up" seasons north of 36° N. lat. See IV.B.(2).

3/ Other flatfish means all flatfish listed at 50 CFR 660.302 except those in this Table 4 with a trip limit.

4/ The whiting "per trip" limit in the Eureka area for catch inside 100 fathoms is 10,000 lb / trip throughout the year.

5/ South of 40°10' N. lat., minor shelf and minor nearshore rockfish, as well as canary, widow, bocaccio, chilipepper, and cowcod were managed with area closures in Jan-Apr. In Jan-Feb, limited entry fixed gear fisheries for these species were closed south of 36° N. lat., yet open with limits shown between 40°10' N. lat. and 36° N. lat. In Mar-Apr, these fisheries were closed between 40°10' N. lat and 36° N. lat., yet open with limits shown in waters south of 36° N. lat. "Closed" means it is prohibited to take and retain, possess, or land the designated species in the time or area indicated (see IV.A.(7)).

6/ Yellowtail rockfish and POP in the south and bocaccio, chilipepper, and cowcod rockfishes in the north are included in trip limits for minor shelf rockfish (Table 2).

7/ The "per trip" limit for black rockfish off Washington also applies. See paragraph IV.B.(4).

8/ The size limit for lingcod is 24 inches (61 cm) in the north and 26 inches (66 cm) in the south, total length.

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

C. Trip Limits in the Open Access Fishery

Table 5. 2000 Trip Limits 1/ for All Open Access Gear except Exempted Trawl Gear Engaged in Fishing for Pink Shrimp

Read Section IV. A. NMFS Actions before using this table.

line	Species/groups	JAN-FEB	MAR-APR	MAY-JUN	JULY-AUG	SEP-OCT	NOV	DEC
1	Minor slope rockfish							
2	North	500 lb / 2 months			500 lb / 2 months		500 lb / 2 months	
	South	500 lb / 2 months		May-Jun, 500 lb / 2 months	Jul-Aug, 1,000 lb / 2 months	Sep-Oct, 3,000 lb / 2 months	3,000 lb / 2 months	
3								
4	Splitnose-South	200 lb / month			200 lb / month		200 lb / month	
5	POP--North	100 lb / month			100 lb / month		100 lb / month	
6	Sablefish 2/							
	North of 36 °	300 lb / day, but no more than 2,100 lb / 2 months		May-Jun, 300 lb / day, 2,400 lb 2 months;	Jul-Aug, 300 lb / day, 3,300 lb / 2 months;	Sep-Oct, 300 lb per day, or 1,200 lb per week, no cumulative limit	300 lb / day or 1,200 lb / week, no cumulative limit	
7								
8								
9	South of 36 °	350 lb / day			350 lb / day		350 lb / day	
10	Thornyheads (longspine and shortspine combined)							
11	North of Pt. Conception	CLOSED 3/			CLOSED		CLOSED	
12	South of Pt. Conception	50 lb / day			50 lb / day		50 lb / day	
13	Arrowtooth	200 lb / month			200 lb / month		200 lb / month	
14	Dover sole				(included in "other" flatfish limit)			
15	Petrale sole				(included in "other" flatfish limit)			
16	Nearshore flatfish				(included in "other" flatfish limit)			
17	"Other" flatfish 4/	300 lb / month			300 lb / month		300 lb / month	
18	Shoreside whiting	300 lb / month			300 lb / month		300 lb / month	
19	Minor shelf rockfish							
20	North	100 lb / month			100 lb / month		100 lb / month	
21	South	200 lb / month 5/			200 lb / month		200 lb / month	
22	Canary							
23	North	50 lb / month			50 lb / month		50 lb / month	
24	South	50 lb / month 5/			50 lb / month		50 lb / month	
25	Widow							
26	North	3,000 lb / month			3,000 lb / month		3,000 lb / month	
27	South	3,000 lb / month 5/			3,000 lb / month		3,000 lb / month	
28	Yellowtail-North 6/	100 lb / month			100 lb / month		100 lb / month	
29	Bocaccio - South 6/	200 lb / month 5/			200 lb / month		200 lb / month	
30	Chilipecper-South 6/	2,000 lb / month 5/			2,000 lb / month		2,000 lb / month	
31	Cowcod - South 6/	1 fish per landing 5/			1 fish per landing		1 fish per landing	
32	Minor nearshore rockfish							
33	North 7/8/	1,000 lb / 2 months, of which no more than 500 lb may be species other than black or blue rockfish		May-Jun, 1,500 lb / 2 mo, of which no more than 700 lb may be species other than black or blue rockfish; 2,500 lb/2 mo;	Jul-Aug, 3,000 lb / 2 mo, of which no more than 900 lb may be species other than black or blue rockfish;	Sep-Oct, 6,000 lb / 2 mo, of which no more than 2,000 lb may be species other than black or blue rockfish	6,000 lb / 2 mo, of which no more than 2,000 lb may be species other than black or blue rockfish	
34	South	550 lb / 2 months 5/		May-Jun, 800 lb/2 months	Jul-Aug, 1,600 lb / 2 months	Sep-Oct, 4,000 lb/2 month from 40° 10' N. lat. to 34° 27' N. lat. 6,000 lb / 2 months south of 34° 27' N. lat	4,000 lb / 2 months from 40° 10' N. lat. to 34° 27' N. lat.; 2,000 lb/ 2 months south of 34° 27' N. lat.	
35								
36	Lingcod 9/	CLOSED		May-Jul, 400 lb/month; Aug-Oct, CLOSED.			CLOSED	

1/ Trip limits apply coastwide unless otherwise specified. North means 40°10' N. lat. to the US-Canada border.

"South" means 40°10' N. lat. to the US-Mexico border.

2/ There is no size limit for sablefish taken and retained with nonrawl gear in the open access fishery. See IV.B.2.

3/ Closed means it is prohibited to take and retain, possess, or land the species in the time or area indicated (see IV.A.(7)).

4/ Other flatfish means all flatfish listed at 50 CFR 660.302 except those in this Table 5 with a trip limit.

5/ South of 40° 10' N. lat., minor shelf and nearshore rockfish, as well as canary, widow, bocaccio, chilipepper, and cowcod were managed with area closures in Jan-Apr. In Jan/Feb, open access fisheries for these species were closed south of 36° N. lat., yet open with limits shown between 40° 10' N. lat. and 36° N. lat. In Mar/Apr these fisheries were closed between 40° 10' N. lat. and 36° N. lat., and open with limits shown in waters south of 36° N. lat. (see IV.A.(7)).

6/ Yellowtail rockfish and POP in the south and bocaccio, chilipepper, and cowcod rockfishes in the north are included in the trip limits for minor shelf rockfish in the appropriate area (Table 2).

7/ The "per trip" limit for black rockfish off Washington also applies. See paragraph IV.B.(4).

8/ Provisions for landing groundfish in Pacific City, OR are found at paragraph IV.C.(4).

9/ The size limit for lingcod is 24 inches (61 cm) in the north and 26 inches (66 cm) in the south, total length (May through July.)

To convert pounds to kilograms, divide by 2.20462, the number of pounds in one kilogram.

BILLING CODE 3510-22-C

Classification

These actions are authorized by the regulations implementing the FMP and the annual specifications and management measures and emergency rule published at 65 FR 221 (January 4,

2000) and are based on the most recent data available. The aggregate data upon which these actions are based are available for public inspection at the office of the Administrator, Northwest Region, NMFS (see ADDRESSES) during business hours.

The Assistant Administrator for Fisheries NOAA (AA) finds good cause to waive the requirement to provide prior notice and comment on this action pursuant to 5 U.S.C. 553(b)(B) because providing prior notice and opportunity for comment would be impracticable. It

would be impracticable because the current 2-month cumulative limit period began on September 1, 2000, and affording additional advance notice and opportunity for public comment would drastically reduce the amount of time the fishers have to take the increased September to October limit. The increases to trip limits relieve burdens on the public as the trip limits provide for an increase in fishing opportunities. In addition, the affected public had the opportunity to comment on these actions at the September 11-15, 2000, Council meeting. This action should be implemented as soon as possible to provide fishers the opportunity to achieve the increased trip limits.

Since this action increases trip limits, it relieves a restriction and therefore, the AA find, under 5 U.S.C. 553(d)(1), it is unnecessary to delay for 30 days the effective date of this action.

These actions are taken under the authority of 50 CFR 660.323(b)(1), and are exempt from review under Executive Order 12866.

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

Dated: October 2, 2000.

Clarence Pautzke,

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

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BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 000119014-0137-02; I.D. 100200C]

Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for New Jersey

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

ACTION: Commercial quota harvest.

SUMMARY: NMFS announces that the summer flounder commercial quota available to the State of New Jersey has been harvested. Vessels issued a commercial Federal fisheries permit for the summer flounder fishery may not land summer flounder in New Jersey for the remainder of calendar year 2000, unless additional quota becomes available through a transfer. Regulations governing the summer flounder fishery require publication of this notification to advise the State of New Jersey that the quota has been harvested and to advise vessel permit holders and dealer permit holders that no commercial quota is available for landing summer flounder in New Jersey.

DATES: Effective 0001 hours, October 10, 2000, through 2400 hours, December 31, 2000.

FOR FURTHER INFORMATION CONTACT: Paul H. Jones, Fishery Policy Analyst, (978) 281-9273.

SUPPLEMENTARY INFORMATION:

Regulations governing the summer flounder fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is apportioned on a percentage basis among the coastal states from North Carolina through Maine. The process to set the annual commercial quota and the percent allocated to each state is described in § 648.100.

The initial total commercial quota for summer flounder for the 2000 calendar year was set equal to 11,109,214 lb (5,039,055 kg) (65 FR 33486, May 24, 2000). The percent allocated to vessels landing summer flounder in New Jersey is 16.72499 percent, or 1,858,346 lb (842,931 kg).

Section 648.100(e)(4) stipulates that any overages of commercial quota landed in any state be deducted from that state's annual quota for the following year. In the calendar year 1999, a total of 1,897,952 lb (860,897 kg) were landed in New Jersey, creating a 44,026 lb (19,970 kg) overage that was deducted from the amount allocated for landings in the State during 2000 (65 FR 33486, May 24, 2000). The resulting 2000 quota for New Jersey is 1,814,320 lb (822,962 kg).

Section 648.101(b) requires the Administrator, Northeast Region, NMFS (Regional Administrator) to monitor state commercial quotas and to determine when a state's commercial quota is harvested. The Regional Administrator is further required to publish a notification in the **Federal Register** advising a state and notifying Federal vessel and dealer permit holders that, effective upon a specific date, the state's commercial quota has been harvested and no commercial quota is available for landing summer flounder in that state. The Regional Administrator has determined, based upon dealer reports and other available information, that the State of New Jersey has attained its quota for 2000.

The regulations at § 648.4(b) provide that Federal permit holders agree as a condition of the permit not to land summer flounder in any state that the Regional Administrator has determined no longer has commercial quota available. Therefore, effective 0001 hours, October 10, 2000, further landings of summer flounder in New Jersey by vessels holding summer flounder commercial Federal fisheries permits are prohibited for the remainder of the 2000 calendar year, unless additional quota becomes available through a transfer and is announced in the **Federal Register**. Effective 0001 hours, October 10, 2000, federally permitted dealers are also advised that they may not purchase summer flounder from federally permitted vessels that land in New Jersey for the remainder of the calendar year, or until additional quota becomes available through a transfer.

Classification

This action is required by 50 CFR part 648 and is exempt from review under Executive Order 12866.

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

Dated: October 2, 2000.

Richard W. Surdi,

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

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