

(65 FR 60587), to implement Amendment 58 to the FMP. In the regulatory text portion of the final rule, a reference to Figure 8a and Figure 8b were inadvertently omitted from the revised definition for "Chinook Salmon Savings Area of the BSAI." Also, the paragraph designations were incorrectly labeled for § 679.21(e)(7)(viii).

#### Correction

In the final rule to implement Amendment 58 to the FMP, which revises the Chinook Salmon Savings Area, published at 65 FR 60587, October 12, 2000, FR Doc. 00-26086, the following corrections are made:

#### § 679.2 [Corrected]

1. On page 60588, column 2, § 679.2, the definition for "Chinook Salmon Savings Area of the BSAI" is corrected to read: "Chinook Salmon Savings Area of the BSAI (see § 679.21(e)(7)(viii) and Figure 8a and Figure 8b to this part)."

2. On page 60588, column three, § 679.21 (e)(7)(viii) is correctly revised to read as follows:

#### § 679.21 Prohibited species bycatch management.

\* \* \* \* \*

(e) \* \* \*

(7) \* \* \*

(viii) Chinook salmon. If, during the fishing year, the Regional Administrator determines that catch of chinook salmon, by vessels using trawl gear while directed fishing for pollock in the BSAI, will reach the annual limit as identified in paragraph (e)(1)(vii) of this section, NMFS, by notification in the **Federal Register** will close the Chinook Salmon Savings Area, as defined in Figure 8 to this part, to directed fishing for pollock with trawl gear consistent with the following dates:

(A) From the effective date of the closure until April 15, and from September 1 through December 31, if the Regional Administrator determines that the annual limit of chinook salmon will be attained before April 15.

(B) From September 1 through December 31, if the Regional Administrator determines that the annual limit of chinook salmon will be attained after April 15.

\* \* \* \* \*

Dated: October 25, 2000.

**William T. Hogarth,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 697

[Docket No. 00824246—0294—03; I.D. 062700F]

RIN 0648-AO33

### Horseshoe Crab; Interstate Fishery Management Plans; Cancellation of Moratorium

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

**ACTION:** Cancellation of Federal moratorium; final rule.

**SUMMARY:** The Secretary of Commerce (Secretary) announces the cancellation of the Federal moratorium on fishing for horseshoe crabs in the Commonwealth of Virginia (Virginia) waters and the removal of regulations prohibiting the possession of horseshoe crabs in Virginia waters and the landing of horseshoe crabs in Virginia, regardless of where they were caught. The Secretary cancelled the moratorium, as required by the Atlantic Coastal Fisheries Cooperative Management Act (Act), based on his determination that Virginia is now in compliance with the Atlantic States Marine Fisheries Commission's (Commission) Interstate Fishery Management Plan (ISFMP) for horseshoe crabs.

**DATES:** Effective October 26, 2000.

**FOR FURTHER INFORMATION CONTACT:** Richard H. Schaefer, Chief, Staff Office for Intergovernmental and Recreational Fisheries, NMFS, 301-427-2014.

#### SUPPLEMENTARY INFORMATION:

#### Background

On July 7, 2000, National Marine Fisheries Service (NMFS) determined that Virginia was not in compliance with Addendum 1 to the Commission's ISFMP for horseshoe crabs and that the measure Virginia failed to implement is necessary for the conservation of the fishery in question. Virginia was notified by letter on July 11, 2000, of this determination, and that NMFS required additional time to analyze the timing and nature of the moratorium's implementation before issuing a declaration of a moratorium and a rule necessary to implement Section 806 of the Act.

On October 16, 2000 (65 FR 61116), the Secretary declared a Federal moratorium effective October 23, 2000, on fishing for horseshoe crabs in

Virginia waters and issued regulations prohibiting the possession of horseshoe crabs in Virginia waters and the landing of horseshoe crabs in Virginia, regardless of where they were caught. Details were provided in the October 16, 2000, **Federal Register** document and are not repeated here. On October 20, 2000, the Secretary stayed the effective date of the moratorium and associated regulations until October 27, 2000, because Virginia was in the process of implementing regulations to reduce its horseshoe crab quota. This stay was filed on October 20, 2000, at the Office of the **Federal Register**, effective October 23, 2000, and published in the **Federal Register** on October 24, 2000 (65 FR 63550).

The Act specifies that, if, after a moratorium is declared with respect to a State, the Secretary is notified by the Commission that it is withdrawing the determination of noncompliance, the Secretary shall immediately determine whether the State is in compliance with the applicable plan. If the State is determined to be in compliance, the moratorium shall be terminated.

#### Activities Pursuant to the Act

On October 20, 2000, the Secretary received a letter from the Commission prepared pursuant to the Act. The Commission's letter stated that Virginia had taken corrective action to comply with Addendum 1 to the Commission's ISFMP for horseshoe crabs, and, therefore, the Commission was withdrawing its determination of noncompliance.

#### Cancellation of the Moratorium

Based on the Commission's October 20, 2000, letter, information received from the Virginia, and the Secretary's review of Virginia's revised regulations, which reduced its quota of horseshoe crabs from 355,000 horseshoe crabs to 152,495 horseshoe crabs as required by Addendum 1, the Secretary concurs with the Commission's determination that Virginia is now in compliance with Addendum 1 to the Commission's ISFMP for horseshoe crabs. Therefore, the moratorium on fishing for horseshoe crabs in Virginia waters is cancelled, and the associated regulations removed.

#### Changes from Interim Final Rule

These changes were due to the cancellation of the moratorium and associated regulations. The definition of horseshoe crab in § 697.2 is removed, and in § 697.7, paragraph (e) is removed. This paragraph includes the provision that it is unlawful for any person to possess horseshoe crabs in Virginia waters or land horseshoe crabs

in Virginia, regardless of where they were harvested.

**List of Subjects in 50 CFR Part 697**

Fisheries, Fishing, Intergovernmental relations.

Dated: October 25, 2000.

**William T. Hogarth,**

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

For the reasons set out in the preamble, the regulatory text which was

added as an interim rule to part 697 at 65 FR 61116 on October 16, 2000, and amended at 65 FR 63550 on October 24, 2000, is amended as follows:

**PART 697—ATLANTIC COASTAL  
FISHERIES COOPERATIVE  
MANAGEMENT**

1. The authority citation for 50 CFR part 697 continues to read as follows:

**Authority:** 16 U.S.C. 5101 et seq.

**§ 697.2 [Amended]**

2. In § 697.2, definition for “Horseshoe crab” is removed.

**§ 697.7 [Amended]**

3. In § 697.7, paragraph (e) is removed.

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