

manage Atlantic coastal fishery resources.

Section 807 of the Act specifies that, after notification by the Commission that an Atlantic coastal state is not in compliance with a Commission's coastal FMP, the Secretary shall make a finding, no later than 30 days after receipt of the Commission's determination, on: (1) Whether the state has failed to carry out its responsibilities to implement and enforce the Commission's FMP; and (2) whether the measures that the state has failed to implement and enforce are necessary for the conservation of the fishery in question. If the Secretary finds that the state is not in compliance with the Commission's FMP, and if the measures the state has failed to implement are necessary for the conservation of the fishery, the Secretary shall declare (i.e., impose) a moratorium on fishing in that fishery within the waters of the noncomplying state. The Secretary shall specify the moratorium's effective date, which shall be any date within 6 months after declaration of the moratorium. In making such a finding, the Secretary shall carefully consider the comments of the Commission, the coastal state found out of compliance by the Commission, and the appropriate Regional Fishery Management Councils.

Activities Pursuant to the Act

On November 17, 1995, the Secretary received a letter from the Commission prepared pursuant to section 806(b) of the Act. The Commission's letter stated that the State of Maryland's weakfish regulations did not meet the provisions of the Commission's FMP, and, therefore, the Commission found the State of Maryland out of compliance with the FMP as described below:

Maryland failed to implement appropriate mesh size restrictions in gill nets and finfish trawl nets in appropriate times and areas by July 1, 1995, to achieve 75 percent escapement of Maryland's minimum size weakfish.

In order to come into compliance with Amendment #2 for the fishing year ending March 31, 1996, Maryland would have to increase its minimum otter trawl mesh-sizes to 3-3/4 inches diamond (inside measurement) and 3-3/8 inches square (inside measurement). Alternatively, Maryland could increase total seasonal reductions to 40.5 percent for the diamond mesh otter trawl fishery and 35.8 percent for the square mesh otter trawl fishery.

The Commission's letter also suggested that the Secretary use his discretionary authority under the Act to delay the date of the moratorium for up to 6 months, because Maryland appears to be taking administrative action to

implement the management measures necessary to bring the State into compliance. On December 4, 1995, officials representing the Secretary met with representatives from Maryland's Department of Natural Resources, Tidal Fisheries Division. Maryland officials noted that Maryland had implemented most measures necessary under the Commission's weakfish FMP, such as a 12-inch (30-cm) size limit and seasonal restrictions to fishing, but had not, as yet, implemented the required mesh sizes. They noted that administrative procedures were underway to implement the required mesh sizes. The NMFS representatives received from the Maryland officials a memorandum that presented Maryland's intent to take administrative actions necessary to bring Maryland into compliance with the Commission's FMP. Their administrative actions would implement the required mesh sizes by February 12, 1996. Further comments were received from the New England, Mid-Atlantic, and South Atlantic Regional Fishery Management Councils; NMFS' Northeast and Southeast Science Centers; and the Department of the Interior's U.S. Fish and Wildlife Service.

Determination Regarding Compliance by the State of Maryland

Based on a careful analysis of all relevant information, and taking into account comments presented by the State of Maryland during the meeting on December 4, 1995, the Secretary has determined that the State of Maryland is not in compliance with the Commission's coastal FMP for weakfish. This determination is based on Maryland's failure to implement and enforce regulatory measures established in the Commission's weakfish FMP. Further, the Secretary has determined that enforcement of these measures is necessary for the conservation of weakfish.

Although it has been determined that the State of Maryland is not in compliance with the Commission's FMP for weakfish, it is recognized that expeditious efforts are being made to implement State regulations which would bring Maryland into compliance by February 12, 1996. In recognition of these efforts, the Secretary has agreed to allow Maryland until April 1, 1996, to promulgate appropriate regulations. If the State of Maryland has not complied by that date, a moratorium will be implemented on weakfish-fishing within the waters of the State of Maryland effective April 15, 1996. The delay of the effective date of the moratorium will not diminish conservation efforts, because the fishing

season for this species has ended and will not resume until spring.

NMFS will notify the Governor of Maryland of this action and will promulgate regulations necessary to implement this moratorium in the Federal Register. This moratorium will be terminated immediately upon receipt of notification from the Commission, and concurrence by the Secretary, that the State has taken appropriate remedial actions to bring the State into compliance.

Dated: February 12, 1996.

Rolland A. Schmittin,

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

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[I.D. 020896A]

Gulf of Maine Aquaculture-Pinniped Interaction Task Force; Hearing

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

ACTION: Notice of availability; public hearing; request for comments.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA), the Gulf of Maine Aquaculture-Pinniped Interaction Task Force (Task Force) was established to advise NMFS of issues and problems regarding pinnipeds interacting in a dangerous or damaging manner with aquaculture resources in the Gulf of Maine. That advice comprises the Task Force's final report to NMFS, which is complete and is available to the public upon request (see **ADDRESSES**).

NMFS is required by the MMPA to consider the Task Force report and to prepare a separate report to Congress that will recommend alternatives to mitigate the effects of the aquaculture-pinniped interactions. To that end, NMFS is seeking public comment on the Task Force report, and will hold a public hearing.

DATES: Comments on the Task Force report must be submitted on or before March 21, 1996.

The hearing will be held on February 20, 1996 in two sessions from 3:00-5:00 p.m. and 6:30-8:00 p.m. Sessions will be extended if necessary.

ADDRESSES: The hearing will be held at the Washington County Technical College, Marine Trade Center, RR#1, Eastport, ME, 04631-9618. Written comments should be sent to, and copies of the Task Force report are available from Chief, Marine Mammal Division,

Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Daniel Morris (508) 281-9388, or Dr. Edward Cyr (301) 713-2319.

SUPPLEMENTARY INFORMATION: The salmon aquaculture industry in the northeastern United States has grown substantially in the last decade and so have regional populations of harbor seals (*Phoca vitulina*) and gray seals (*Halichoerus grypus*). The seals occasionally attack the salmon pens. Industry proponents claim the losses caused by the seals are substantial and the frequency of attacks has increased in recent years. Seals are protected under the MMPA, and the actions salmon growers can take to protect their pens are thereby limited to non-lethal deterrence measures.

Per MMPA section 120(h), a seven-member Task Force was established by NMFS to examine the issues and problems associated with pinniped-aquaculture interactions in the Gulf of Maine. Task Force members were selected from the aquaculture industry, state government, the scientific community, and conservation organizations. The Task Force convened three times for multi-day meetings, visited pen-sites, conducted public hearings, met with salmon growers, conducted surveys, and reviewed literature related to the issue. The Task Force prepared a report consisting of its findings along with recommendations to mitigate the seal predation, all of which represent the consensus of the Task Force. The report includes measures the Task Force believes would mitigate problems due to interactions.

At the hearing, the public will have an opportunity to provide oral or written testimony regarding the Task Force report. Persons planning to speak at the hearing must provide a written copy of their testimony to the NMFS representative at the hearing. Task Force members will be at the hearing to answer questions regarding the report and the Task Force process. The hearing is physically accessible to people with disabilities. Arrangements for sign language interpretation or other auxiliary aids will be made if NMFS is notified of such needs at least three days prior to the hearing (see **FOR FURTHER INFORMATION CONTACT**).

Dated: February 13, 1996.

Ann Terbush,

Chief, Permits Division, National Marine Fisheries Service.

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[I.D. 020796B]

Marine Mammals

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

ACTION: Receipt of application to modify permit no. 840 (P351D).

SUMMARY: Notice is hereby given that Mr. Craig O. Matkin, North Gulf Oceanic Society, P.O. Box 15244, Homer, Alaska 99603, has requested a modification to Permit No. 840.

DATES: Written comments must be received on or before March 21, 1996.

ADDRESSES: The modification request and related documents are available for review upon written request or by appointment in the following office(s):

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289); and

Director, Alaska Region, National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668.

Written data or views, or requests for a public hearing on this request should be submitted to the Chief, Permits Division, F/PR1, Office of Protected Resources, National Marine Fisheries Service, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

FOR FURTHER INFORMATION CONTACT: Jeannie Drevenak, 301/713-2289.

SUPPLEMENTARY INFORMATION: The subject modification is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

The Permit Holder is currently authorized to take by harassment up to 3,500 killer whales (*Orcinus orca*) annually, over a 5-year period, during photo-identification and behavioral observation studies, a total of 94 of which may be biopsy sampled over the course of the permit. The permit is valid through October 31, 1998.

The Permit Holder is now requesting to expand the research area to include all Alaska waters.

Concurrent with the publication of this notice in the Federal Register, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: February 7, 1996.

Ann D. Terbush,

Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjustment of Import Limits for Certain Cotton Textile Products Produced or Manufactured in Pakistan

February 13, 1996.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs increasing limits.

EFFECTIVE DATE: February 21, 1996.

FOR FURTHER INFORMATION CONTACT: Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927-6714. For information on embargoes and quota re-openings, call (202) 482-3715.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The current limits for certain categories are being increased by recrediting unused carryforward.

A description of the textile and apparel categories in terms of HTS numbers is available in the **CORRELATION:** Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 609 FR 65299, published on December 19, 1995). Also see 61 FR 62393, published on December 6, 1995.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the Uruguay Round Agreements Act and the Uruguay Round Agreement on Textiles and Clothing, but are designed to assist only in the