

Written statements concerning the proposed special rule should be mailed to the Service office identified in the ADDRESSES section above on or before April 30, 1999.

Author

The author of this notice is Peter Plage, Colorado Field Office (see ADDRESSES above), telephone 303/275-2370.

Authority

Authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.).

Dated: March 10, 1999.

Ralph O. Morgenweck,

Regional Director, Denver, Colorado.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[I.D. 021899A]

Central Registry System for Limited Access Permits (Registry); Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Sustainable Fisheries Act (SFA) requires the Secretary of Commerce (Secretary) to establish an exclusive central registry system for limited access permits (LAPs). The registry will be the exclusive means of perfecting title to LAPs. It will also be the exclusive means of perfecting security interests in, assignments of, and liens and other encumbrances against LAPs. There will be a meeting to receive public comments to be used in developing proposed implementing rules.

DATES: The public meeting will be held April 13-14, 1999. See **SUPPLEMENTARY INFORMATION** for specific dates and times.

ADDRESSES: The meeting will be held at NMFS Headquarters, 1315 East-West Highway, Building 3, 4th Floor, Room 4527, Silver Spring, MD, telephone (301) 713-2334.

FOR FURTHER INFORMATION CONTACT: John Reisenweber, 1315 East-West Highway, Building 3, 13th Floor, Room 13321, Silver Spring, MD 20910, telephone (301) 713-2334; fax: (301) 713-0596; email: john.reisenweber@noaa.gov

SUPPLEMENTARY INFORMATION:

Background

Conservation and management sometimes requires limiting access to federally-managed fisheries. Only parties with LAPs can fish in these limited access fisheries. Some LAPs are transferable independently of fishing vessels, while others are not.

The Sustainable Fisheries Act of 1996 (P.L.104-297) amended the Magnuson-Stevens Act (MSA) and included a provision requiring NMFS to establish the Registry:

...the Secretary [of Commerce] shall establish an exclusive central registry system (which may be administered on a regional basis) for limited access system permits established under section 303(b)(6) or other Federal law, including individual fishing quotas, which shall provide for the registration of title to, and interests in, such permits...

Section 305(h) of the MSA makes the Registry the legally exclusive means of perfecting LAP titles and liens, with the exception of Federal tax liens.

Before establishing the registry, NMFS wanted the public's guidance. On March 6, 1997, NMFS published an Advance Notice of Proposed Rulemaking (ANPR) in the Federal Register. The ANPR was published to allow the public an opportunity to offer comments and guidance before Registry regulations were proposed. Although comments were welcomed from the general public, NMFS particularly requested comments from:

1. Fisheries parties who buy and sell LAPs,
2. Creditors and other parties who will file liens for registration against LAPs, and
3. The Regional Fishery Management Councils.

Following the publication of the ANPR, NMFS conducted a Registry workshop in Kodiak, Alaska on March 20, 1997. The purpose of the workshop was to bring together all parties with an interest in the implementation of the Registry. Participants in the workshop included: NMFS personnel, fishing industry representatives, attorneys, and members of the marine banking community. Several workshop

participants and other interested parties submitted written comments to NMFS regarding issues raised in the ANPR and discussed at the workshop in Kodiak. These issues include: Registry location, role of the IRS, registration of non-transferable permits, fee imposition, use of standard forms, and title/lien validation. Comments from the public about these issues will be considered when implementing the registry.

All those interested in the public meeting to be held in Silver Spring in April are encouraged to participate, either by attending or submitting written comments. Written comments should be forwarded via mail or fax to the information contact above.

Meeting Dates

The public meeting will begin at 2:00 PM on April 13, 1999 and continue until 6:00 PM that evening. The meeting will reconvene at 9:00 AM on April 14, 1999 and conclude at 5:00 PM later that afternoon. A summary document about issues related to the Registry is under development and is scheduled to be mailed to meeting registrants approximately two weeks prior to the meeting.

If you plan to attend the meeting, please RSVP with your mailing address and telephone number at least 15 days prior to the meeting. If anyone is interested in making presentations at the meeting, please contact John Reisenweber at least 10 business days prior to the meeting in order to be included on the agenda. Also, please identify any special audio/visual needs for your presentation. Due to time constraints and the number of presenters, it may be necessary to limit each presentation.

Special Accommodations

The meeting is physically accessible to those with disabilities. Requests for sign language or other auxiliary aids should be directed to John Reisenweber (see **FOR FURTHER INFORMATION CONTACT**) at least 10 business days prior to the meeting.

Dated: March 9, 1999.

Bruce C. Morehead,

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

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