

DEPARTMENT OF COMMERCE**International Trade Administration****University of Illinois at Urbana-Champaign; Notice of Decision on Application for Duty-Free Entry of Scientific Instrument**

This decision is made pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Docket Number: 00-019. *Applicant:* University of Illinois at Urbana-Champaign, Urbana, IL 61801. *Instrument:* E-beam Evaporator and Flux Controller, Model EGN4. *Manufacturer:* Oxford Applied Research, United Kingdom. *Intended Use:* See notice at 65 FR 47405, August 2, 2000.

Comments: None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States.

Reasons: The foreign instrument provides simultaneous loading of four different types of charges so that multi-layer thin film deposition is possible without breaking vacuum. A university research laboratory advised August 31, 2000 that (1) this capability is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign instrument for the applicant's intended use.

We know of no other instrument or apparatus of equivalent scientific value to the foreign instrument which is being manufactured in the United States.

Gerald A. Zerdy,

Program Manager, Statutory Import Programs Staff.

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 032800C]

Fisheries of the Exclusive Economic Zone off Alaska; Groundfish of the Gulf of Alaska; Exempted Fishing Permit

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Issuance of an exempted fishing permit.

SUMMARY: NMFS announces the issuance of an exempted fishing permit (EFP) 00-01 to Groundfish Forum, Inc., and the At-sea Processors Association (applicants). The EFP authorizes the applicants to conduct an experiment in the Gulf of Alaska (GOA) and the Bering Sea that will test the effectiveness of a halibut excluder device for Pacific cod trawls in reducing halibut bycatch rates without significantly lowering catch rates of cod. This EFP is necessary to provide information not otherwise available through research or commercial fishing operations. The intended effect of this action is to promote the purposes and policies of the Magnuson-Stevens Fishery Conservation and Management Act.

ADDRESSES: Copies of the EFP and the Environmental Assessment (EA) prepared for the EFP are available from Lori J. Gravel, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802.

FOR FURTHER INFORMATION CONTACT: Nina Mollett, 907-586-7462.

SUPPLEMENTARY INFORMATION: The Fishery Management Plan for Groundfish of the Gulf of Alaska and the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area authorize the issuance of EFPs to fish for groundfish in a manner that would otherwise be prohibited under existing regulations. The procedures for issuing EFPs are set out at 50 CFR 679.6.

On April 11, 2000, NMFS announced in the **Federal Register** the receipt of an application for an EFP from the applicants (65 FR 19363). The applicants requested authorization to test the effectiveness of a halibut excluder device intended to reduce halibut bycatch rates in the Pacific cod trawl fishery, without lowering the catch of Pacific cod. The purpose of this research is to assist industry in developing gear modifications that will reduce the bycatch of halibut in the cod fisheries off Alaska. This EFP will provide information not otherwise available through research or commercial fishing operations because it is not economically feasible for vessels to participate in an experiment of this extent and rigor during the commercial fisheries.

The Administrator, Alaska Region, NMFS (Regional Administrator), has approved the EFP application and has issued EFP 00-01 to the applicants. The experiment will take place in two parts.

Part A will be conducted by a head-and-gut catcher/processor vessel in the GOA in September 2000. The rationale for the timing is that few options exist for open access fishing in the fall, and participating vessels would have a low opportunity cost. Part B will be conducted by a pollock/cod fillet catcher/processor vessel in the Bering Sea in March 2001, during or following the winter cod fishery.

Vessels wishing to participate in the experiment have submitted or will submit applications that include fishing plans describing the vessel's observer sampling facilities, the general area to be fished, number of tows expected per day, the proposed coordination of observer sampling and deck crew duties during the experiment, and the number of observers (from one to three, subject to NMFS approval).

The vessel for Part A was chosen by a NMFS panel headed up by a NMFS gear expert working with the applicants on this experiment. The vessel for Part B will be a member of the pollock fishery cooperative associated with the At-sea Processors Association (the Pollock Conservation Cooperative). Selection of the vessel will be made by the cooperative, subject to approval by NMFS of the fishing plan and number of observers.

Each part of the experiment will consist of 30 tows. At a rate of 4-5 tows per day, each of the two parts will take 7-10 days to complete. Groundfish and prohibited species catch amounts authorized under the EFP will not be deducted from total allowable catch or prohibited species catch allowances specified for the 2000-2001 groundfish fisheries. This will not cause a conservation problem because estimated total removals under the EFP are within acceptable levels biologically and will not cause the fishery to exceed overfishing levels already considered in the EA for the 2000 specifications.

The EFP authorizes taking up to 396 metric tons (mt) of groundfish in the GOA and 594 mt of groundfish in the Bering Sea, principally cod. Vessels selected for participation will retain all cod and pollock and may retain other groundfish species in accordance with the maximum retainable incidental catch amounts at 50 CFR 679.20(e) and (f), using only cod as the basis species.

The authorized halibut bycatch for this experiment is 47 mt in the GOA and 12 mt in the Bering Sea. Based on the assumed 2000 halibut mortality rates for the GOA cod fishery (63 percent) and the Bering Sea cod fishery (66 percent)(65 FR 8298, February 18, 2000; and 65 FR 8282, February 18, 2000, respectively), these amounts are