

For the reasons set out in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; 49 CFR 1.46.

2. A new temporary § 165.T17–SEAK–016 is added to read as follows:

§ 165.T17–SEAK–016 Wrangell Narrows Channel, Petersburg, Alaska-Safety Zone.

(a) *Location.* The following area is a temporary safety zone: The waters within a 500 yard radius of the barge SWINIMOSH while engaged in blasting/dredging operations to include periodic complete channel closures in Wrangell Narrows Shipping Channel, Petersburg AK from Point Lockwood Rock, Lighted Marker #1 (LL #22845), 56°34.0' N, 132°58.1' W to Rock Point, Lighted Marker #40 (LL #23070), 56°40.3' N, 132°56.1' W.

(b) *Effective dates.* This regulation becomes effective at 12:01 a.m. November 2, 2000 and terminates at 12:01 a.m. December 16, 2000.

(c) *Regulations.* In accordance with the general regulations in § 165.23 of this part, entry into, transit through, or anchoring within this safety zone is prohibited except as authorized by the Captain of the Port-Southeast Alaska. The attending tug WALDO will be standing by on channel 16 and 13 for traffic advisory. All approaching vessel traffic must contact the tug WALDO prior to transiting the channel.

Dated: 17 October 2000.

R.C. Lorigan,

Captain, U.S. Coast Guard, Captain of the Port, Southeast Alaska.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 000426114-0114-01; I.D. 101700E]

Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Commercial Quota Harvested for Period 2

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

Atmospheric Administration (NOAA), Commerce.

ACTION: Closure; commercial quota for period 2.

SUMMARY: NMFS announces that the spiny dogfish commercial quota available in Period 2 to the coastal states from Maine through Florida has been harvested. Therefore, the spiny dogfish fishery will remain closed and commercial vessels may not land spiny dogfish from Maine through Florida through April 24, 2001. Regulations governing the spiny dogfish fishery require publication of this notification to advise the coastal states from Maine through Florida that the quota has been harvested and to advise vessel permit holders and dealer permit holders that no commercial quota is available for landing spiny dogfish in these states.

DATES: Effective November 1, 2000, 0001 hrs. local time, through April 24, 2001, 2400 hrs. local time.

FOR FURTHER INFORMATION CONTACT: David M. Gouveia, Fishery Policy Analyst, at (978) 281-9280.

SUPPLEMENTARY INFORMATION: Regulations governing the spiny dogfish fishery are found at 50 CFR part 648.

The regulations require annual specification of a commercial quota, which is allocated into two quota periods based upon percentages of the annual quota. The period 1 commercial quota (May through October) is distributed to the coastal states from Maine through Florida as described in § 648.230.

The initial total commercial quota for spiny dogfish for the 2000 fishing year was set equal to 4,000,000 lb (1,814 mt) (65 FR 25887, May 4, 2000). The commercial quota is allocated into two periods (May 1 through October 31, and November 1 through April 30), with trip limits intended to preclude directed fishing. Quota period 1 was allocated 2,316,000 lb (1,050 mt) and quota period 2 was allocated 1,684,000 lb (764 mt) of the commercial quota, respectively.

Section 648.231 requires the Administrator, Northeast Region, NMFS (Regional Administrator) to monitor the commercial spiny dogfish quota for each quota period and, based upon dealer reports, state data, and other available information, to determine when the commercial quota has been harvested. NMFS is required to publish a notification in the Federal Register advising and notifying commercial vessels and dealer permit holders that, effective upon a specific date, the spiny dogfish commercial quota has been

harvested and no commercial quota is available for landing spiny dogfish for the remainder of a given quota period.

Based on dealer reports and other available information, the Regional Administrator closed quota period 1 on August 1, 2000 (65 FR 46877, August 1, 2000). However, due to state management actions that were inconsistent with the Federal quota, spiny dogfish landings have already exceeded the annual quota for the entire 2000 fishing year. Therefore, the Regional Administrator is announcing that the 2000 commercial period 2 quota for spiny dogfish has been harvested and the commercial spiny dogfish fishery will remain closed for the remainder of the fishing year.

Section 648.4(b) provides that Federal spiny dogfish permit holders agree, as a condition of the permit, not to land spiny dogfish in any state after NMFS has published notification in the **Federal Register** that the commercial quota for the period has been harvested and that no commercial quota for the spiny dogfish fishery is available. The Regional Administrator has determined that period 2 for spiny dogfish no longer has commercial quota available. Therefore, effective 0001 hrs local time, November 1, 2000, landings of spiny dogfish in coastal states from Maine through Florida by vessels holding commercial Federal fisheries permits are prohibited through April 24, 2001, 2400 hrs local time. The fishing year 2001 quota period 1 for commercial spiny dogfish harvest will open on May 1, 2001. Effective November 1, 2000, federally permitted dealers are also advised that they may not purchase spiny dogfish from federally permitted spiny dogfish permit holders that land in coastal states from Maine through Florida for quota period 2 (through April 24, 2001).

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 26, 2000.

Bruce C. Morehead,

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

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