

(3) *Narrowband low power channels subject to regional planning.* The following narrowband channels are designated for low power use for on-scene incident response purposes using mobiles and portables subject to Commission-approved regional planning committee regional plans. Transmitter power must not exceed 2 watts (ERP): Channels 1–8 paired with Channels 961–968, and Channels 949–958 paired with Channels 1909–1918.

(4) *Narrowband low power itinerant channels.* The following narrowband channels are designated for low power use for on-scene incident response purposes using mobiles and portables. These channels are licensed nationwide for itinerant operation. Transmitter power must not exceed 2 watts (ERP): Channels 9–12 paired with Channels 969–972 and Channels 959–960 paired with Channels 1919–1920.

(5) *Narrowband state channel.* The following narrowband channels are designated for direct licensing to each state (including U.S. territories, districts, and possessions): 25–36, 65–76, 105–116, 145–156, 185–196, 225–236, 265–276, 305–316, 645–656, 685–696, 725–736, 765–776, 805–816, 845–856, 885–896, 925–936, 985–996, 1025–1036, 1065–1076, 1105–1116, 1145–1156, 1185–1196, 1225–1236, 1265–1276, 1605–1616, 1645–1656, 1685–1696, 1725–1736, 1765–1776, 1805–1816, 1845–1856, 1885–1896.

(6) *Narrowband general use channels.* All narrowband channels established in paragraph (b) of this section, other than those listed in paragraphs (b)(1), (b)(2), (b)(4) and (b)(5) of this section are designated for assignment to public safety eligibles subject to Commission-approved regional planning committee regional plans.

(c) * * *

(1) *Wideband interoperability channels.* The following wideband channels are designated for nationwide interoperability licensing and use: 28–30, 37–39, 46–48, 73–75, 83–84, 91–93, 148–150, 157–159, 166–168, 193–195, 202–204, 211–213.

(2) *Wideband reserve channels.* The following wideband channels are reserved: 1–27, 94–120, 121–147, 214–240.

(3) *Wideband general use channels.* All wideband channels established in paragraph (c), except for those listed in paragraphs (c)(1) and (c)(2) of this section, are designated for assignment to public safety eligibles subject to Commission-approved regional planning committee regional plans.

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11. Section 90.535 is amended by revising paragraph (a) to read as follows:

§ 90.535 Modulation and spectrum usage efficiency requirements.

* * * * *

(a) All transmitters in the 764–776 MHz and 794–806 MHz frequency bands must use digital modulation. Mobile and portable transmitters may have analog modulation capability only as a secondary mode in addition to its primary digital mode. Mobile and portable transmitters that only operate on the low power channels designated in §§ 90.531(b)(3), 90.531(b)(4), are exempt from this digital modulation requirement.

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12. Section 90.537 is revised to read as follows:

§ 90.537 Trunking requirement.

All systems using six or more narrowband channels in the 764–776 MHz and 794–806 MHz frequency bands must be trunked systems. Nationwide interoperability channels listed in § 90.531(b)(1), and the narrowband low power channels listed in §§ 90.531(b)(3), 90.531(4), are not counted as narrowband channels for the purposes of this trunking requirement.

13. Section 90.541 is amended by adding paragraph (d) to read as follows:

§ 90.541 Transmitting power limits.

* * * * *

(d) Transmitters operating on the narrowband low power channels listed in §§ 90.531(b)(3), 90.531(b)(4), must not exceed 2 watts (ERP).

14. Section 90.543 is amended by adding paragraphs (e) and (f) to read as follows:

§ 90.543 Emission limitations.

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(e) For operations in the 764 to 776 MHz and 794 to 806 MHz bands, all emissions including harmonics in the band 1559–1610 MHz shall be limited to –70 dBW/MHz equivalent isotropically radiated power (EIRP) for wideband signals, and –80 dBW EIRP for discrete emissions of less than 700 Hz bandwidth. For the purpose of equipment authorization, a transmitter shall be tested with an antenna that is representative of the type that will be used with the equipment in normal operation.

(f) When an emission outside of the authorized bandwidth causes harmful interference, the Commission may, at its discretion, require greater attenuation than specified in this section.

15. Section 90.547 is revised to read as follows:

§ 90.547 Interoperability channel capability requirement.

Mobile and portable transmitters operating in the 764–776 MHz and 794–806 MHz frequency bands must be capable of operating on all of the designated nationwide narrowband interoperability channels pursuant to standards adopted by the Public Safety National Coordination Committee and approved by the Commission. Mobile and portable transmitters that only operate on the low power channels designated in §§ 90.531(b)(3), 90.531(b)(4), are exempt from this interoperability channel capability requirement.

[FR Doc. 00–28348 Filed 11–6–00; 8:45 am]

BILLING CODE 6712–01–U

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 600 and 660

[Docket No. 991223347-9347; I.D. 102600C]

Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Recreational Fishery Closure

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

ACTION: Fishery closure; request for comments.

SUMMARY: NMFS announces changes to the recreational fishery for lingcod, within the Pacific Coast groundfish fishery. This action, which is authorized by the Pacific Coast Groundfish Fishery Management Plan (FMP), is intended to protect lingcod.

DATES: Changes to management measures are effective 0001 hours (local time) November 2, 2000, unless modified, superseded, or rescinded. These changes are effective until the effective date of the 2001 annual specifications and management measures for the Pacific coast groundfish fishery, which will be published in the **Federal Register**. Comments on this rule will be accepted through November 22, 2000.

ADDRESSES: Submit comments to Donna Darm, Acting Administrator, Northwest Region (Regional Administrator), NMFS, 7600 Sand Point Way N.E., BIN C15700, Bldg. 1, Seattle, WA 98115-0070; or Rebecca Lent, Administrator, Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213.

FOR FURTHER INFORMATION CONTACT: Yvonne deReynier or Becky Renko (Northwest Region, NMFS) 206-526-6140.

SUPPLEMENTARY INFORMATION: The following change to current lingcod management measures for waters off California was recommended by the Pacific Fishery Management Council (Council,) in consultation with the State of California, at its September 11-15, 2000, meeting in Sacramento, CA, and by the California Fish and Game Commission (Commission) at its October 19-20, 2000, meeting in San Diego, CA.

On October 6, 2000, NMFS published a document in the **Federal Register** announcing inseason changes to trip limits for Pacific coast groundfish (65 FR 59752). The preamble to that document discussed the possibility of further inseason actions to close certain fisheries off California, pending decisions made in the Commission's October meeting.

At its October 19-20, 2000, meeting, the Commission discussed whether fishery closures were necessary for the months of November and December to protect overfished and depleted species (bocaccio, lingcod, canary rockfish, cowcod). The best available information used by the Commission indicated that the coastwide lingcod optimum yield (OY) would be exceeded by October 31, 2000. Since the weather in central and southern California often remains conducive to recreational fishing throughout the year, the Commission decided to close the recreational lingcod fishery within State waters (0-3 nm offshore) for November and December in order to prevent further landings of lingcod. The Commission also asked NMFS to set complementary regulations for Federal waters (3-200 nm offshore).

At its September 2000 meeting, the Council had asked NMFS to coordinate

with the State of California to implement Federal management measures consistent with those of the State. Consistent with the Council's request and to ensure that the lingcod fishery conforms with the lingcod overfished species rebuilding plan, this action implements the Commission's recommendations on a lingcod fishery closure within Federal waters off California. Previously, the Council had asked NMFS to close the recreational fishery for lingcod off Washington State. Therefore, all commercial fisheries for lingcod are closed in November and December. Oregon's recreational fishery for lingcod remains open, but landings are expected to be minimal due to rough winter weather constraining fishing opportunities.

NMFS Actions

For the reasons stated here, NMFS concurs with the Council's recommendations and announces the following changes to the 2000 annual management measures (65 FR 221, January 4, 2000, as amended at 65 FR 4169, January 26, 2000; 65 FR 17805, April 5, 2000; 65 FR 25881, May 4, 2000; 65 FR 31283, May 17, 2000; 65 FR 33423, May 23, 2000; and 65 FR 45308, July 21, 2000) as follows:

In Section IV, under D. Recreational Fishery, paragraph (1) (b) is revised to read as follows:

IV. NMFS Actions

D. Recreational Fishery

* * * * *
(1) * * *

(b) lingcod. Recreational fishing for lingcod off the coast of California is closed from [insert date of filing for public inspection with the Office of the Federal Register] through December 31, 2000.

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Classification

These actions are authorized by the regulations implementing the FMP and the annual specifications and management measures and emergency rule published at 65 FR 221 (January 4, 2000) and are based on the most recent data available. The aggregate data upon which these actions are based are available for public inspection at the office of the Administrator, Northwest Region, NMFS (see **ADDRESSES**) during business hours.

The Assistant Administrator for Fisheries (AA), NOAA, finds good cause to waive the requirement to provide prior notice and comment on this action pursuant to 5 U.S.C. 553(b)(B), because providing prior notice and opportunity for comment would be impracticable. It would be impracticable because this action is necessary to protect an overfished species that is managed under a rebuilding plan, and affording additional advance notice would reduce the agency's ability to protect that overfished species. In addition, the affected public had the opportunity to comment on these actions at the September 11-15, 2000, Council meeting and at the October 19-20, 2000, Commission meeting. Accordingly, the AA finds good cause exists to waive the 30-day delay in effectiveness.

These actions are taken under the authority of 50 CFR 660.323(b)(1), and are exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: November 1, 2000.

Bruce C. Morehead,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 00-28534 Filed 11-2-00; 8:45 am]

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