

Section 4(b)(2) of the Act requires that the Secretary shall designate or revise critical habitat based upon the best scientific and commercial data available and after taking into consideration the economic impact of specifying any particular area as critical habitat. Based upon the previously published proposal to designate critical habitat for the Morro shoulderband snail and comments received during the previous comment period, we have prepared a draft economic analysis of the proposed critical habitat designation. The draft economic analysis is available at the above Internet and mailing address. We will accept written comments during this reopened comment period. The current comment period on this proposal closes on December 6, 2000. Written comments may be submitted to the Ventura Fish and Wildlife Office in the ADDRESSES section.

#### Author

The primary author of this notice is Ron Popowski, U.S. Fish and Wildlife Service, 2493 Portola Road, Suite B, Ventura, California 93003 (see ADDRESSES section).

**Authority:** The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

Dated: November 15, 2000.

**Cynthia U. Barry,**

*Acting Manager, California/Nevada Operations Office.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 600

[I.D. 110900B]

#### Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Applications for Exempted Fishing Permits (EFPs)

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

**ACTION:** Notification of a proposal for EFPs to conduct experimental fishing; request for comments.

**SUMMARY:** NMFS announces that the Administrator Northeast Region, NMFS (Regional Administrator), has made a preliminary determination to consider an application for an EFP that would allow up to four vessels to conduct fishing operations otherwise restricted

by regulations governing the fisheries of the Northeastern United States. The Rutgers University Haskin Shellfish Research Laboratory has submitted an application for an EFP that warrants further consideration. The experimental fishery to be conducted under the EFP would investigate selectivity of various trawl mesh sizes in the Mid-Atlantic region. The research would target small-mesh species (Atlantic mackerel, *Loligo* squid, silver hake (whiting), black sea bass, and scup), with the goal of developing fishing gear and/or methods that would significantly reduce the discard mortality of scup. This notice is intended to provide interested parties the opportunity to comment on the proposed experimental fishery.

**DATES:** Comments must be received by December 6, 2000.

**ADDRESSES:** Comments should be sent to Patricia Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark on the outside of the envelope "Comments on Proposed Experimental Fishery."

**FOR FURTHER INFORMATION CONTACT:** Tom Warren, Fishery Management Specialist, 978-281-9347.

**SUPPLEMENTARY INFORMATION:** The regulations that govern exempted experimental fishing, at 50 CFR 600.745, allow the Regional Administrator to authorize for certain purposes the targeting or incidental harvest of managed species that would otherwise be prohibited. An EFP to authorize such activity may be issued, provided there is adequate opportunity for the public to comment on the EFP application, and the conservation goals and objectives of the Fishery Management Plan are not compromised.

The Rutgers University Haskin Shellfish Research Laboratory of Port Norris, NJ, submitted to NMFS on October 9, 2000, an application for an EFP to conduct gear research in the small-mesh fisheries of the Mid-Atlantic region; in particular, gear selectivity experiments that investigate the retention of scup. The research would target several small-mesh species (Atlantic mackerel, *Loligo* squid, whiting, black sea bass, and scup), with the goal of developing fishing gear and/or methods that would significantly reduce the discard mortality of sub-legal and legal-sized scup. Scup are overfished and discard mortality has been identified as a problem that needs to be addressed to allow the stock to rebuild. The experimental design seeks to increase the number of observed tows in the directed scup fishery and to compare the catch selectivity of codends with mesh sizes ranging from 1 and 7/

8 to 5.0 inches (47 to 125-mm). A composite codend constructed of 4.5 and 4.0-inch (113 and 100-mm) codend mesh may also be tested.

Up to four vessels with the appropriate Federal permits would be authorized to target Atlantic mackerel, *Loligo* squid, whiting, black sea bass, scup and to retain other incidental catch species using trawls with various codend mesh sizes beginning on or after January 1, 2001. The experiment would be authorized through December 31, 2001, but may be completed as soon as February 28, 2001. Tows would be up to 1 hour in duration and, when possible, consistent with procedures used during the course of normal fishing activities. Researchers would identify, count, and measure the target and incidental species retained by the trawls; commercial species would be retained and sold. The applicants anticipate a total number of 32 trips would be taken within the duration of this proposal.

Participating vessels would have trained observers or researchers on board, and make tows in Mid-Atlantic waters east and southeast of New Jersey in NMFS statistical areas 613, 615, 616, 622, and 623 (approximately between 38° 00' N. and 42° 00' N. lat.). Landings of species other than scup would be subject to all applicable fishery regulations, including all applicable state or Federal limits in effect at the time of the research. It is anticipated that incidental species will include, but not be limited to, summer flounder. Vessels may be allowed to retain and land up to 3,000 lb (1,361 kg) of scup per trip in excess of the trip limit in effect at the time of the experiment. The increased trip limit would be used to obtain more sample tows per trip and to defray costs of the research. All landings of scup would be counted towards the period and the annual scup quota and the fishery will be closed when the quotas are reached, consistent with the provisions of § 648.120. Issuance of the EFPs would not authorize landing of scup in excess of established quotas. EFPs would be required to exempt vessels from certain management measures of the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan, including gear restrictions, mesh-size requirements, possession restrictions on undersized species for data collection purposes only, and trip limits. Due to the distribution of target species, it may be necessary for the experimental vessels to fish in gear restricted areas (GRAs). If GRAs are in effect at the time of, and in the location of, the experimental fishing,

exemptions from pertinent GRA regulations would be required. There will be an opportunity for public discussion of this proposal at the December 12-14, 2000, meeting of the Mid-Atlantic Fishery Management Council in Atlantic City, NJ. An agenda and other details of that meeting will be published in the **Federal Register** in advance of the meeting.

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

*Dated:* November 15, 2000.

**Bruce C. Morehead,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

[I.D. 110800C]

#### Atlantic Highly Migratory Species Fisheries; Technical Gear Workshop

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

**ACTION:** Notification of public meeting.

**SUMMARY:** NMFS announces a public workshop to discuss potential gear modifications for the Atlantic pelagic longline fishery aimed at reducing the incidental take and mortality of threatened and endangered sea turtles. The workshop is intended to synthesize available information and discuss research objectives. A report of the workshop will be made available to interested parties.

**DATES:** The workshop will take place December 12, 2000, from 1 p.m. to 6 p.m. and December 13, 2000, from 8:30 a.m. to 3:30 p.m. Notice of attending the meeting should be provided by December 5, 2000.

**ADDRESSES:** The location for the workshop is: National Marine Fisheries Service, Building 4 - Science Center, 1305 East-West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Margo Schulze-Haugen or Tyson Kade at (301) 713-2347. Also, if you are planning to attend the workshop, please contact the above named individuals by December 5, 2000. Attendees will be provided briefing materials prior to the meeting.

**SUPPLEMENTARY INFORMATION:** A Biological Opinion (BO) issued on June

30, 2000, by NMFS' Office of Protected Resources found that the continued operation of the Atlantic pelagic longline fishery is likely to jeopardize the continued existence of loggerhead and leatherback sea turtles. Since the BO was issued, NMFS has concluded that further analyses of observer data and additional population modeling of loggerhead sea turtles are needed to determine more precisely the impact of the pelagic longline fishery on turtles. NMFS reinitiated consultation to consider these factors, and anticipates issuance of a new BO in March 2001. This workshop will allow fishermen, gear experts, sea turtle experts, and fishery managers to discuss possible measures, including gear and fishing method modifications, to reduce the incidental take and mortality of sea turtles in the Atlantic pelagic longline fishery in the future. Information developed at the workshop will be incorporated into a workshop report that will be considered in the ongoing fishery consultation. The report will also be made available to the public.

#### Special Accommodations

The public workshop is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Margo Schulze-Haugen or Tyson Kade (see **FOR FURTHER INFORMATION CONTACT**) at least 7 days prior to the meeting.

**Authority:** 16 U.S.C. 971 *et seq.*, and 16 U.S.C. 1801 *et seq.*

*Dated:* November 14, 2000.

**Bruce C. Morehead,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 001030303-0303-01; I.D. 091900E]

RIN 0648-AO41

#### Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Amendment 13

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS issues this proposed rule to implement portions of Amendment 13 to the Pacific Coast Groundfish Fishery Management Plan (FMP). Amendment 13 is intended to make the FMP consistent with the bycatch provisions of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Amendment 13 would also increase flexibility in the groundfish annual specifications and management measures process to allow the Council to more easily craft measures that protect overfished and depleted species, and would amend the limited entry permit provisions to remove unused and outdated limited entry permit endorsements. This proposed rule would introduce an increased utilization program for the at-sea whiting fisheries, revise the regulatory provisions for the routine management measures process, and remove regulatory references to limited entry permit endorsements other than the "A" endorsement.

**DATES:** Comments must be submitted in writing by January 5, 2001.

**ADDRESSES:** Send comments to Donna Darm, Acting Administrator, Northwest Region, (Regional Administrator) NMFS, 7600 Sand Point Way NE., Seattle, WA 98115; or Rebecca Lent, Administrator, Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213. Copies of Amendment 13 to the Pacific Coast Groundfish FMP and the environmental assessment/regulatory impact review (EA/RIR) are available from Donald McIsaac, Executive Director, Pacific Fishery Management Council, 2130 SW Fifth Avenue, Suite 224, Portland, OR 97201. Send comments regarding the reporting burden estimate or any other aspect of the collection-of-information requirements in this proposed rule to the NMFS address and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 00503 (Attn: NOAA Desk Officer). Send comments regarding any ambiguity or unnecessary complexity arising from the language used in this rule to Donna Darm or Rebecca Lent.

**FOR FURTHER INFORMATION CONTACT:** William Robinson at: phone, 206-526-6140; fax, 206-526-6736; and email, bill.robinson@noaa.gov. Svein Fougnier at: phone, 562-980-4000; fax, 562-980-4047; and email, svein.fougnier@noaa.gov.