

estimated that 70 percent of the suitable habitat for this species within its known range had been lost to development or agriculture (63 FR 54938). Since 1998, additional habitat has been lost to development (e.g., urban, commercial, industrial, and residential) and agriculture (e.g., grazing, farming). On June 13, 2001, we published a rule in the **Federal Register** (66 FR 32052) proposing to designate approximately 2,685 hectares (6,630 acres) of land in San Diego County, California, as critical habitat for *Deinandra conjugens* pursuant to the Act.

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 *Deinandra conjugens* 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 mailing and internet address (see **ADDRESSES** section). We will accept written comments during this reopened comment period. The current comment period on this proposal and draft economic analysis closes on August 9, 2002.

Public Comments Solicited

We will accept written comments and information during this comment period. If you wish to comment, you may submit written comments and materials concerning this proposal by any of several methods:

(1) You may submit written comments and information to the Field Supervisor, Carlsbad Fish and Wildlife Office (see **ADDRESSES** section).

(2) You may send comments by electronic mail (e-mail) to: deco@r1.fws.gov. If you submit comments by e-mail, please submit them as an ASCII file and avoid the use of special characters and any form of encryption. Please include "Attn: Otay tarplant" and your name and return address in your e-mail message. If you do not receive a confirmation from the system that we have received your e-mail message, contact us directly by calling our Carlsbad Fish and Wildlife Office at telephone number 760-431-9440.

(3) You may hand-deliver comments to our Carlsbad Fish and Wildlife Office (see **ADDRESSES** section).

Comments and materials received, as well as supporting documentation used in preparation of the proposal to

designate critical habitat, will be available for inspection, by appointment, during normal business hours at the Carlsbad Fish and Wildlife Office (see **ADDRESSES** section). Copies of the draft economic analysis are available on the Internet at "<http://carlsbad.fws.gov>" or by writing to the Field Supervisor, Carlsbad Fish and Wildlife Office (see **ADDRESSES** section).

References Cited

A complete list of all references cited in this notice is available upon request from the Carlsbad Fish and Wildlife Office (see **ADDRESSES** section).

Author

The primary author of this notice is Daniel R. Brown (see **ADDRESSES** section).

Authority

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

Dated: June 16, 2002.

Craig Manson,

Assistant Secretary for Fish Wildlife and Parks.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[I.D. 070102B]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application 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: The Administrator, Northeast Region, NMFS (Regional Administrator) has made a preliminary determination that the subject exempted fishing permit (EFP) application contains all the required information and warrants further consideration. The Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Northeast Multispecies Fishery Management Plan (FMP). However, further review and consultation may be necessary before a

final determination is made to issue the EFP.

Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

DATES: Comments on this document must be received on or before July 25, 2002.

ADDRESSES: Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on UNH Codend Selectivity EFP Proposal." Comments may also be sent via facsimile (fax) to (978) 281-9135.

FOR FURTHER INFORMATION CONTACT: Richard A. Pearson, Fishery Policy Analyst, 978-281-9279.

SUPPLEMENTARY INFORMATION: NMFS announces that the Regional Administrator proposes to issue an EFP that would allow one commercial vessel to conduct fishing operations that are otherwise restricted by the regulations governing the fisheries of the Northeastern United States. The EFP would allow for exemptions from the Northeast (NE) multispecies days-at-sea (DAS) notification requirements at 50 CFR 648.10(c) and 648.82(a); the Gulf of Maine (GOM) Rolling Closures specified at 50 CFR 648.81; and the NE multispecies minimum mesh size requirements specified for the GOM Regulated Mesh Area at 50 CFR 648.80, for 5 days of at-sea gear testing.

This application for an EFP was submitted by the University of New Hampshire (UNH) Cooperative Extension for research funded through the Northeast Consortium. The applicant proposes to design, develop and test a hydrodynamic trawl-net codend outer \geq cover \geq for use in future, long-term, fishing trawl-net codend selectivity studies in the GOM not to exceed 5 days of at-sea trials. Floats, weights and kites would be positioned outside of the codend to hold a small-mesh net that surrounds the codend. The objective of the research is to develop a design and methodology for collecting fish that would otherwise escape from the codend of a trawl net. This would enable the researchers to quantify the amount of fish that escape and are retained by the codend. The researchers will use alternate tows both with and without the \geq cover \geq to evaluate any differences in fish retention. Also, underwater video

technology will be employed to observe the codend, the ≥cover,≥ and the fish escaping from the codend.

UNH researchers would be aboard the vessel at all times during the experimental work. All undersized fish and/or protected species would be returned to the sea as quickly as possible after measurement and examination. Legal-sized fish that otherwise would have to be discarded would be allowed to be retained and sold. The participating vessel would be required to report all landings in its Vessel Trip Report. This experimental work is important because large

amounts of undersized, regulated fish species may sometimes be caught and discarded, despite the use of legal-sized mesh. The successful development of a codend ≥cover≥ would facilitate future, long-term, mesh selectivity studies to determine appropriate codend mesh sizes and shapes in the GOM that reduce the catch of undersized fish, yet still retain legal-sized fish. Improved selectivity of trawl nets could ultimately provide for additional conservation of overfished species, such as GOM cod.

Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of

this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

Based on the results of this EFP, this action may lead to future rulemaking.

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

Dated: July 5, 2002.

Virginia M. Fay,

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