required). The anticipated bycatch of regulated species incidental to the catch of target species retained by all experimental codends (6 tows per day) is expected to be minimal. For those control tows using small mesh (3 per tows day) the proposal estimated a 50% discard rate of sub-legal size fish. Total catch rates were estimated at 10,000 lb (4,536 kg) per day, of which 2,000–4,000 lb (907–1814 kg) would be discarded and 6,000–8,000 lb (2722–3629 kg) would be retained. The percent composition of species in the total catch, including discards is 30% Atlantic cod (3,000 lb (1361 kg) per day total catch), 30% winter flounder (3,000 lb (1361 kg) per day total catch), 20% yellowtail flounder (2,000 lb (907 kg) per day total catch), and 20% haddock (2,000 lb (907 kg) per day total catch).

The participating vessel would be required to report all regulated species catch retained for commercial sale in its Vessel Trip Report. During the sea trial phase each data collection trip would have a URI sea sampler/scientist on board and the catch would be measured according to NMFS sea sampling methodology and recorded on NMFS logbooks. Any sub-legal sized fish would be processed by the sea samplers (e.g., measured and recorded) and returned immediately to the water. The results of the analysis phase would be summarized in a report that presents selectivity curves for each species according to mesh size and shape, and the results of the YPR and SSBPR analyses including isopleth diagrams. The collection of mesh size selectivity data for mesh sizes at or above the current minimum is expected to increase our understanding of factors that may effect sustainable stock production due to growth overfishing and the potential to increase spawning stock biomass.

An exemption from the requirement to carry an exemption certificate to fish for, possess, and land NE multispecies that are harvested from the GB RMA (i.e., Atlantic cod and yellowtail flounder) is necessary because the work may involve exceeding the applicable landing and/or possession limit restrictions for these species. The applicant has justified the number of trips (i.e., the level of catch) in terms of a target sample size that if not reached may not yield meaningful results. The Regional Administrator is seeking comments on this aspect of the request.

The EFP would exempt one federally permitted commercial fishing vessel from certain requirements of the NE Multispecies FMP. Specifically, the vessel would be exempt from the requirement to carry a GOM cod exemption certificate to fish for, possess, and land cod in excess of the GOM cod landing limits while fishing in the GB RMA, the GB cod landing and possession limit restrictions (50 CFR 648.86(b)(2)), the requirement to possess on board an exemption certificate to fish for, possess, or land yellowtail flounder in the GB RMA (50 CFR 648.86(h)(1)(i)), to temporarily possess regulated species less than the minimum fish size, and to fish with mesh less than the minimum mesh size specified at 50 CFR part 648, subpart F.

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

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

Dated: August 8, 2002.

Virginia M. Fay,

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

[FR Doc. 02–20652 Filed 8–13–02; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[I.D. 080502B]

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

AGENCY: National Marine Fisheries Service (NOAA Fisheries), 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, NOAA Fisheries (Regional Administrator) has made a preliminary determination that the subject 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. Therefore, NOAA Fisheries announces that the Regional Administrator proposes to issue an EFP that would allow one 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 a 20–day exemption from the Gulf of Maine (GOM) Rolling Closures specified at 50 CFR 648.81 and for a 20–day exemption from the northeast (NE) multispecies days-at-sea (DAS) notification requirements at 50 CFR 648.10(c) and 648.82(a). The exempted fishing activity would support research to design, develop and test a soft species separation system for commercial flatfish trawls in the GOM. The system is intended to separate roundfish (particularly cod) from flatfish in trawl nets by exploiting behavioral differences between the species.

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 August 29, 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 Species Separation System 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: The application for an EFP was submitted by the University of New Hampshire (UNH) Cooperative Extension for research being funded through NOAA Fisheries' Cooperative Research Partners Program. The applicant is requesting an exemption for one commercial vessel from the NE multispecies DAS notification requirements at 50 CFR 648.10(c) and 648.82(a) for 20 days of at-sea gear testing and from the GOM Rolling Closures specified at 50 CFR 648.81 for the same duration. This experiment proposes to design, develop and test a soft species separation system for commercial flatfish trawls in the GOM. The objective of the research is to separate flatfish from roundfish in trawl nets and to reduce the inadvertent bycatch of roundfish (particularly cod) when fishing for flatfish. The separation device is designed to separate roundfish from flatfish by exploiting behavioral differences that exist between the species. The experimental design consists of a soft species separation panel, or ramp, that would be positioned in front of a double codend in a trawl net. It would take advantage

of the tendency of flatfish to swim towards the ocean bottom after encountering the separation panel and thereby into the lower codend portion of the net. Roundfish, which are not expected to swim towards the seafloor after encountering the panel, would swim into the upper codend portion of the net, which could be left open if roundfish were not being retained.

Underwater video equipment would be employed to observe fish behavior and functioning of the experimental selectivity device. Catch and bycatch are proposed to be sampled from each tow. If available, 100 each of cod, haddock, yellowtail flounder, whiting (silver hake), American plaice and witch flounder (including both legal and sub-legal sizes) would be measured from the catch in both the control net (commercial trawl net) and from the experimental trawl net, using alternating tows. The total weight of roundfish and flatfish would be determined from the upper and lower codends of the experimental trawl net and from the control net. Finally, the catch of each species in the upper and lower codend of the experimental net would be analyzed using statistical methods to calculate a separation index to determine whether the experimental system is effective at separating the species.

To avoid the Cape Cod yellowtail flounder stock area, the vessel would be required to conduct experimental fishing activity north of 42°50' N. lat. (the northern boundary of the Cape Cod yellowtail flounder stock area), due to the significant reduction in fishing mortality that is currently required for that stock to eliminate overfishing. The sea trials would be conducted in shallow water (30 to 50 fathoms (54.9 - 91.4 meters)) off the coasts of New Hampshire, southern Maine, and a small portion of northern Massachusetts. UNH researchers would be aboard the vessel during all experimental work. All undersized fish, and/or protected species, would be returned to the sea as quickly as possible after measurement. However, legal-sized fish that would otherwise have to be discarded would be allowed to be retained and sold. The overall catch levels are not expected to have a detrimental impact on the NE multispecies resource. Estimated total landings for the 20 days are: Cod - 6,000 lb (2721.5 kg); flatfish (witch flounder, American plaice, winter flounder, yellowtail flounder) - 6,000 lb (2721.5 kg); other groundfish (haddock, cusk, white hake, silver hake, red hake, ocean pout, wolffish, etc.) - 4,000 lb (1814.4 kg). This is approximately one-half the level of landings that would be expected for 20 days of normal commercial fishing for this vessel. The participating vessel would be required to report all of its landings in its Vessel Trip Reports.

This experimental work is important because it could lead to the development of gear that could reduce bycatch of species that are subject to restrictive trip limits, such as cod, when fishing for species that are not subject to restrictive trip limits. The successful development of a soft species separation device, which could easily be installed in commercial trawl nets, could provide the fishing industry with more flexibility in conducting fishing activities, while simultaneously providing additional conservation for overfished species.

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

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

Dated: August 9, 2002.

Virginia M. Fay,

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

[FR Doc. 02–20657 Filed 8–13–02; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[I.D. 080602E]

Fisheries off the West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Intent to Prepare an Environmental Impact Statement (EIS) for Fishing Conducted Under the Pacific Coast Groundfish Fishery Management Plan (FMP)

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

ACTION: Notice of intent to prepare an EIS; request for written comments.

SUMMARY: The Pacific Fishery Management Council (Council) announces its intention to prepare an EIS in accordance with the National Environmental Policy Act (NEPA) to assess the impacts of the 2003 Pacific Coast groundfish fishery specifications and management measures on the human environment.

DATES: Written comments must be received no later than 5 p.m, local time (l.t.), on September 13, 2002. A public scoping meeting is scheduled as part of the Council's August 28–29, 2002, Allocation Committee meeting in Portland, OR (see **SUPPLEMENTARY INFORMATION**).

ADDRESSES: Written comments on suggested alternatives and potential impacts should be sent to Donald McIsaac, Executive Director, Pacific Fishery Management Council (Council), 7700 NE Ambassador Place, Suite 200, Portland, OR 97220–1384. Comments may also be sent via facsimile (fax) to 503–820–2299. Comments will not be accepted if submitted via e-mail or Internet. See **SUPPLEMENTARY INFORMATION** for specific dates and times.

FOR FURTHER INFORMATION CONTACT: John DeVore, Groundfish Fishery Management Coordinator; phone: 503–820–2280 and e-mail: john.devore@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

There are more than 80 species managed under the Pacific Coast Groundfish FMP, nine of which have been declared overfished. The groundfish stocks support an array of commercial, recreational, and Indian tribal fishing interests in state and Federal waters off the coasts of Washington, Oregon, and California. In addition, groundfish are also harvested incidentally in nongroundfish fisheries, most notably the trawl fisheries for pink shrimp, spot/ridgeback prawns, California halibut, and sea cucumber. Restrictive management measures intended to rebuild overfished species have been adopted and implemented over the past several years for most commercial and recreational fishing sectors.

The proposed action is the identification and evaluation of 2003 groundfish harvest level specifications and fishery management measures intended to meet but not exceed those specifications. These specifications include acceptable biological catches and optimum yields (OYs) for groundfish species or species groups in need of particular protection; OYs may be represented by harvest guidelines or quotas for species that need individual management. The allocation of commercial OYs between the open access and limited entry segments of the fishery is also part of the proposed action. The FMP requires that these specifications for groundfish be annually evaluated and revised as necessary, and that management measures designed to achieve the OYs be published in the **Federal Register** and made effective by January 1, the beginning of the fishing year. The Magnuson-Stevens Fishery