

adopted July 11, 2001, and released July 13, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Texas is amended to add Channel 282A at Goliad, Paducah, Channel 296C3, and Woodson, Channel 298A.

3. Section 73.202(b), the Table of FM Allotments under Arizona, is amended to add Paulden, Channel 263C3.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 01-18348 Filed 7-26-01; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[I.D. 071601B]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permit (EFP)

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

ACTION: Notification of a proposal for an EFP to conduct experimental fishing; request for comments.

SUMMARY: The Administrator, Northeast Region, NMFS (Regional Administrator) has made a preliminary determination that an application for an EFP contains

all of 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), and that the cumulative impacts would be within the scope of earlier analyses on the FMP. However, further review and consultation may be necessary before a final determination is made to issue an EFP. Therefore, NMFS announces that the Regional Administrator proposes to issue an EFP in response to the application that would allow for exemptions of net mesh size and Days-at-Sea (DAS) requirements of the FMP in order to compare the selectivity of a standard commercial trawl net with that of a trawl net with a finfish excluder device. The objective is to develop a trawl with a reduced bycatch of regulated multispecies.

DATES: Comments must be received on or before August 13, 2001.

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 EFP Proposal." Comments may also be sent via facsimile (fax) to (978) 281-9135.

FOR FURTHER INFORMATION CONTACT:

Walter J. Gardiner, Fishery Management Specialist, (978) 281-9326.

SUPPLEMENTARY INFORMATION: The University of New Hampshire (UNH) submitted an application for an EFP on June 1, 2001. The EFP would allow the applicant to perform gear research in order to develop a trawl design that would reduce the bycatch of regulated multispecies, particularly Atlantic cod and juvenile flatfish.

This proposal builds upon previous research and intends to develop flatfish trawl designs based upon the different catch selectivities of gear for flatfish and roundfish (as a result of their different body shapes and behaviors) A component of the experiment will include video recording of the gear performance under tow to assess gear interactions with fish and habitat.

The experiment would occur within a portion of the Gulf of Maine/Georges Bank Regulated Mesh Area (GOM/GB RMA), well within the Northern Shrimp Small Mesh Exemption Area -- specifically, the Bank Comfort area and the Jordan Basin, which is approximately north of 43°40' N. lat. and between 67°30' and 68°30' W. long. The experimental fishing area would not include any closed areas during the

time of the research (August 15 through October 15, 2001).

The experiment proposes to compare the following two trawl net configurations: (1) Standard diamond and square codend mesh sizes, which will be the control; and (2) standard net with two grated grid finfish excluder devices. The first grate is angled at 25 degrees and has horizontal bar spacings of 50 mm or 2 inches; the second grate, angled at 65 degrees, has vertical bar spacings of 90 mm or 3.5 inches and is designed to allow for the escape of Atlantic cod. Both grated grids will be covered with a small mesh bag to determine the effectiveness of the bycatch reduction devices.

The project would last for 2 years. Project participants would: (1) Design a double grid system based on differences in the behavior and shape between roundfish and flatfish; (2) test the design in a flume tank to verify design specifications and operational parameters; (3) build a prototype net with the selectivity device and test it in the sea using the standard (commercial) flatfish trawl as a control; (4) after the first year of sea trials, modify the grid based on the results; and (5) organize a Northwest Atlantic groundfish selectivity workshop to communicate the results from this project.

The sea trials would require between 152 and 168 hours of towing during the testing phase of the initial gear: 7 days of towing with two or three 2-hour tows per day per trip (four trips total). Projected landings from the trawls are expected to be 400 to 500 lb (181.44 to 226.8 kg) per day of Atlantic cod, flounder, monkfish, hake, pollock, and haddock combined; the total catch is estimated to be between 11,000 lb. (4,989.5 kg) and 14,000 lb. (6350.3 kg). These catch levels are approximately the same as the possession/landing limits for vessels fishing within the GOM/GB RMA. Thus, the experimental gear trials are expected to have very little incremental impact on the fishery resources. The vessel would be allowed to retain Atlantic cod, flounder, haddock, monkfish, hake, and pollock for commercial sale, up to the applicable Federal landing limits during the sea trial testing phase.

During the sea trial trips, UNH would have an observer on board and the catch (retained in the external bag and codend) would be measured according to standard fish sampling methodology and recorded for use by UNH personnel. Any sub-legal sized fish would be processed by the UNH observer (e.g., measured) and returned immediately to the water.

The applicant intends that the results of this gear work will be the basis for a gear modification request to the New England Fishery Management Council for use in the Northeast Multispecies fishery.

An EFP would be issued to exempt one vessel from the DAS requirements and gear restrictions of the FMP found at 50 CFR part 648, subpart F.

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 20, 2001.

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 01-18699 Filed 7-26-01; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[I.D. 071701D]

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: NMFS announces that the Administrator, Northeast Region, NMFS (Regional Administrator), has determined that an application for EFPs contains all of the required information and warrants further consideration. The Regional Administrator is considering the impacts of the activities to be authorized under the EFPs with respect to the Northeast Multispecies Fishery Management Plan (Multispecies FMP) and the Fishery Management Plan for Atlantic Tunas, Swordfish and Sharks (Highly Migratory Species (HMS) FMP). However, further review and consultation may be necessary before a final determination is made to issue EFPs. Therefore, NMFS announces that the Regional Administrator proposes to issue EFPs in response to an application

submitted by the East Coast Tuna Association that would allow five purse seine vessels to fish for giant Atlantic bluefin tuna (*Thunnus thynnus*) in Northeast Multispecies year-round Closed Area I, where use of purse seine gear is currently prohibited for the remainder of 2001. The purpose of the study is to collect information regarding bycatch of and interactions of purse seine gear with groundfish species, other species, and marine mammals, and to record contact with the ocean bottom or with any Essential Fish Habitat (EFH). The results of this EFP would allow NMFS and the New England Fishery Management Council (Council) to evaluate the feasibility of allowing purse seine gear in Closed Area I as an exempted gear on a permanent basis.

DATES: Comments on this action must be received at the appropriate address or fax number (see **ADDRESSES**) on or before August 13, 2001.

ADDRESSES: Written comments should be sent to Patricia Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on EFP Proposal." Comments may also be sent via fax to (978) 281-9135. Comments will not be accepted if submitted via e-mail or the Internet.

Copies of the Environmental Assessment and the Regulatory Impact Review (EA/RIR) are available from the Northeast Regional Office at the same address.

FOR FURTHER INFORMATION CONTACT: Allison Ferreira, Fishery Policy Analyst, phone: 978-281-9103, fax: 978-281-9135, email: allison.ferreira@noaa.gov

SUPPLEMENTARY INFORMATION:

Background

The Georges Bank and Southern New England (GB/SNE) multispecies year-round closed areas were established under the Multispecies FMP to provide protection to concentrations of regulated multispecies, particularly for cod, haddock, and yellowtail flounder. Consequently, all fishing in these year-round closed areas was prohibited, with a few exceptions. The only exceptions allowing access to the closed areas were fishing activities known to have a very low incidence of multispecies bycatch. For example, pelagic midwater trawl gear was determined to have a negligible catch of regulated multispecies because the gear fishes well off the ocean floor. As a result, it is an allowed gear in the GB/SNE multispecies closed areas.

Purse seine gear is typically used to target pelagic species such as herring,

mackerel, and tuna that are concentrated at or near the surface of the ocean. This type of gear is not designed or intended to fish for species at or near the ocean floor, and is typically considered to have very little interaction with the bottom dwelling species, such as groundfish. Observer data from the 1996 tuna purse seine fishery, the last year the fishery carried full-time observers, documented a small catch of regulated groundfish, other demersal species, and bottom debris (i.e., sponges and empty shells) in 20 out of 39 observed sets. Out of these 20 sets, only 4 occurred inside Closed Area I, in depths ranging from 28 to 35 fm. In 2000, EFPs were issued to four purse seine vessels to collect information on the interaction between purse seine gear and demersal species and their habitat, particularly in Closed Area I. Data from the five observed trips in Closed Area I from the 2000 tuna purse seine experimental fishery did not show any bycatch of demersal species. These sets occurred in depths ranging from 55 fm to 86 fm. Due to the lingering questions concerning the degree of interactions between purse seine gear used in this fishery and the sea floor, and its interactions with regulated groundfish species, a second experimental fishery has been requested. The Council is considering an exemption for tuna purse seine gear within all groundfish closed areas as part of Framework Adjustment 36 to the Multispecies FMP. Information collected through this experimental fishery would be used in development of Framework Adjustment 36.

Proposed EFP

The proposed EFP would exempt purse seine vessels fishing for giant Atlantic bluefin tuna under 50 CFR part 635 from the gear restrictions of Closed Area I, as described at 50 CFR 648.81(a). Similar to the 2000 purse seine experimental fishery in Closed Area I, no more than five vessels would be authorized to participate. The experimental fishery would begin on August 15, 2001, and continue until the five vessels have achieved their individual fishing quotas, or the end of the calendar year, whichever occurs first. Although these individual quotas may be taken through the end of the fishing year (December 31), they are typically taken by the middle of October. Because the bluefin tuna fishery takes place throughout the waters off New England, and the concentrations of fish often move between areas, it is likely that the fishery would take place within Closed Area I for only a few weeks.