

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 980414095-8240-02; I.D. 102098C]

Fisheries of the Northeastern United States; Dealer Reporting Requirements

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

ACTION: Notification of deferral of Interactive Voice Response (IVR) System reporting requirements for certain species.

SUMMARY: NMFS defers IVR-reporting requirements for regulated Northeast (NE) multispecies (Atlantic cod, witch flounder, American plaice, yellowtail flounder, haddock, pollock, winter flounder, windowpane flounder, redfish and white hake), Atlantic mackerel, and butterfish. Based on data submitted by dealers and on other available information, the Regional Administrator (RA) has determined that landings of these species are not expected to reach levels that would cause the applicable target exploitation rate specified in the fishery management plan (FMP) for that species to be achieved, resulting in specific management changes. Therefore, federally permitted dealers are not required to report purchases of regulated NE multispecies, Atlantic mackerel, and butterfish through the IVR system until notification terminating the deferral for a given species is published in the **Federal Register**. Dealers must continue to report purchases of these species on the detailed written reports. Dealers must report, through the IVR system,

purchases of species for which IVR reporting requirements have not been deferred: summer flounder, scup, black sea bass, *Illex* squid, and *Loligo* squid. **DATES:** Effective November 1, 1998, until notification terminating the deferral for a given species is published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Kelley McGrath, (978)281-9307 or Gregory Power, (978) 281-9304.

SUPPLEMENTARY INFORMATION: In an effort to prevent overfishing and rebuild stocks, summer flounder, scup, black sea bass, regulated NE multispecies, Atlantic mackerel, *Illex* squid, *Loligo* squid, and butterfish are now managed by a quota or by other harvest limit. Regulations implementing the FMPs for these species were prepared under the authority of the Magnuson-Stevens Fishery Conservation and Management Act and are found at 50 CFR part 648. Successful management of quota-managed species is dependent upon NMFS having timely and accurate landing data available. These data will result in better monitoring of the quotas, fewer overages, and more accurate predictions of closure dates. In order to effectively monitor landings, NMFS issued a final rule (63 FR 52639, October 1, 1998) requiring federally permitted dealers to submit a weekly summary of purchases of quota-managed species through the IVR system within 3 days of the end of the reporting week. Regulations implementing the reporting requirements for federally permitted dealers are found at § 648.7.

To minimize the burden of dealer reporting requirements, the regulations implementing the use of an IVR system also include authorization (50 CFR 648.7(a)(2)(ii)) for the RA to defer the IVR reporting requirements for any species if landings are not expected to

reach levels that would cause the applicable target exploitation rate specified in the FMP for that species to be exceeded. The RA has determined, based on the comprehensive written reports submitted by dealers and other available information, that the landing levels for regulated NE multispecies (Atlantic cod, witch flounder, American plaice, yellowtail flounder, haddock, pollock, winter flounder, windowpane flounder, redfish, and white hake), and for Atlantic mackerel, and butterfish do not require IVR reporting. Therefore, the IVR reporting requirements are deferred for these species. If subsequent data indicate that landing levels for any of these species have increased to the extent that this determination ceases to be valid, the RA will terminate this deferral of that species by publishing notification in the **Federal Register**.

Pursuant to § 648.7(a)(2), dealers must report, through the IVR system, their purchases of the species for which IVR-reporting requirements have not been deferred. These species are summer flounder, scup, black sea bass, *Illex* squid, and *Loligo* squid.

As specified in 50 CFR 648.7(a)(1), dealers must continue to report purchases of all species, including those species for which IVR reporting has been deferred, on the detailed written reports.

Classification

This action is authorized by 50 CFR part 648 and is exempt from review under E.O. 12866.

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

Dated: October 23, 1998.

Bruce Morehead,

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

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