

contained in the petition or accompanying submissions, or significant adverse impacts might occur if the proposed exemption were granted, the Board may, in its discretion:

(i) Direct that additional information be filed; or

(ii) Publish a notice in the **Federal Register** requesting public comments.

(2) If a petition for a new class exemption is filed, the Board will publish a notice in the **Federal Register** requesting public comments before granting the class exemption. This requirement does not pertain to individual notices of exemption filed under existing class exemptions. The Board may deny a request for a class exemption without seeking public comments.

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[FR Doc. 99-22125 Filed 8-25-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 990506120-9220-02; I.D. 082399B]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure

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

ACTION: Closure.

SUMMARY: NMFS closes the commercial fishery for king mackerel in the exclusive economic zone (EEZ) in the western zone of the Gulf of Mexico. This closure is necessary to protect the overfished Gulf king mackerel resource.

DATES: The closure is effective 12:01 a.m., local time, August 25, 1999, through June 30, 2000.

FOR FURTHER INFORMATION CONTACT: Mark Godcharles, 727-570-5305.

SUPPLEMENTARY INFORMATION: The fishery for coastal migratory pelagic fish (king mackerel, Spanish mackerel, cero, cobia, little tunny, dolphin, and, in the Gulf of Mexico only, bluefish) is managed under the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (FMP). The FMP was prepared by the Gulf of Mexico and South Atlantic Fishery

Management Councils (Councils) and is implemented under the authority of the Magnuson-Stevens Fishery Conservation and Management Act by regulations at 50 CFR part 622.

Based on the Councils' recommended total allowable catch and the allocation ratios in the FMP, NMFS implemented a commercial quota for the Gulf of Mexico migratory group of king mackerel in the western zone of 1.05 million lb (0.48 million kg) (63 FR 8353, February 19, 1998).

Under 50 CFR 622.43(a), NMFS is required to close any segment of the king mackerel commercial fishery when its quota has been reached, or is projected to be reached, by filing a notification at the Office of Federal Register. NMFS has determined that the commercial quota of 1.05 million lb (0.48 million kg) for Gulf group king mackerel in the western zone will be reached on August 24, 1999. Accordingly, the commercial fishery for Gulf group king mackerel in the western zone is closed effective 12:01 a.m., local time, August 25, 1999, through June 30, 2000, the end of the fishing year. The boundary between the eastern and western zones is 87°31'06" W. long., which is a line directly south from the Alabama/Florida boundary.

Until July 1, 2000, no person aboard a vessel, other than a vessel operating as a charter vessel or headboat, for which a commercial permit for king or Spanish mackerel has been issued may fish for or retain king mackerel in or from the western zone in the EEZ. A vessel for which a charter vessel/headboat permit and a commercial king mackerel permit have been issued is operating as a charter vessel or headboat (for-hire vessel) when it carries a paying passenger or when more than three persons are aboard, including captain and crew. A person aboard a vessel operating as a charter vessel or headboat may fish for or retain king mackerel in or from the western zone under the bag and possession limits of 50 CFR 622.39(c)(1)(ii). However, beginning September 20, 1999, the bag limit is zero for captain and crew on for-hire vessels (64 FR 45457, August 20, 1999).

During the closure, king mackerel taken from the western zone in the EEZ, including those harvested under the bag and possession limits, may not be purchased or sold. This prohibition does not apply to trade in king mackerel from the western zone that were harvested, landed ashore, and sold prior to the closure and were held in cold storage by a dealer or processor.

Classification

This action is taken under 50 CFR 622.43(a) and is exempt from review under E.O. 12866.

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

Dated: August 23, 1999.

Gary C. Matlock,

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

[FR Doc. 99-22176 Filed 8-23-99; 4:57 pm]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 981014259-8312-02; I.D. 081199A]

Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; Adjustments to the 1999 Summer Flounder Commercial Quota

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

ACTION: Commercial quota adjustment for 1999.

SUMMARY: NMFS issues a listing of final adjustments to the 1999 commercial summer flounder state quotas. This action complies with the regulations that implement the Fishery Management Plan for the Summer Flounder, Scup, and Black Sea Bass Fisheries (FMP) that require landings in excess of a given state's individual commercial quota be deducted from that state's quota for the following year. The intent of this action is to continue the rate of rebuilding of the overfished stock of summer flounder in 1999 as described in the FMP's objectives, while also taking into account 1998 overages of state quotas.

DATES: Effective August 26, 1999, through December 31, 1999.

FOR FURTHER INFORMATION CONTACT: Paul H. Jones, Fisheries Policy Analyst, (978) 281-9273.

SUPPLEMENTARY INFORMATION:

Background

NMFS published a document in the **Federal Register** on April 15, 1999 (64 FR 18582) announcing preliminary adjustments to the 1999 summer flounder commercial quotas. Further adjustment is necessary in this notification due to late data received from the States of Connecticut, Maryland, Virginia, and North Carolina.

The final 1998 landings and resulting overages for all states are given in Table 1. The resulting adjusted 1999 commercial quota for each state is given

in Table 2. In Table 3, the adjustment has been made to maintain the incidental component of the commercial quota at 32.7 percent of the total (as

recommended in the final specifications).

TABLE 1.—SUMMER FLOUNDER FINAL 1998 LANDINGS AND OVERAGES BY STATE

State	1998 Quota		Final 1998 Landings		1998 Overage	
	Lb	Kg ¹	Lb	Kg ¹	Lb	Kg ¹
ME	4,791	2,173	5,626	2,552	835	379
NH	51	23	.....	.....	.....	.....
MA	721,899	327,448	709,387	321,773	.....	.....
RI	1,742,583	790,422	1,716,463	778,575	.....	.....
CT	250,457	113,605	262,732	119,173	12,275	5,568
NY	763,419	346,281	823,093	373,349	59,674	27,068
NJ	1,858,363	842,939	1,862,800	844,952	4,437	2,013
DE	(14,534)	(6,593)	(11,205)	(5,083)	(25,739)	(11,676)
MD	199,876	90,662	224,092	101,646	24,216	10,984
VA	2,362,877	1,071,783	2,615,750	1,186,484	252,873	114,701
NC	3,049,589	1,383,270	2,980,683	1,352,015	.....	.....
Total ³	10,939,371	4,962,013	11,189,421	5,075,436	328,571	149,038

¹ Kilograms are as converted from pounds, and may not necessarily add due to rounding.

² Parentheses indicate a negative number.

³ Total quota and total landings do not equal overage because they reflect positive quota balances in several states.

TABLE 2.—SUMMER FLOUNDER FINAL ADJUSTED 1999 QUOTAS

State	1999 Initial Quota		1999 Adjusted Quota	
	Lb	Kg ¹	Lb	Kg ¹
ME	5,285	2,397	4,450	2,018
NH	51	23	51	23
MA	757,842	343,751	757,842	343,751
RI	1,742,583	790,422	1,742,583	790,422
CT	250,791	113,757	238,516	108,189
NY	849,680	385,408	790,006	358,341
NJ	1,858,363	842,939	1,853,926	840,927
DE	1,977	897	(25,739)	(11,675)
MD	226,570	102,770	202,354	91,786
VA	2,373,569	1,076,633	2,120,696	961,932
NC	3,044,589	1,381,002	3,044,589	1,381,002
Total	11,111,300	5,039,999	10,729,274	4,866,717

¹ Kilograms are as converted from pounds, and may not necessarily add due to rounding.

² Parentheses indicate a negative number.

TABLE 3.—FINAL SUMMER FLOUNDER 1999 STATE QUOTAS AND INCIDENTAL CATCH ALLOCATIONS

State	Percent share	Directed		Incidental Catch		Total	
		Lb	Kg ¹	Lb	Kg	Lb	Kg
ME	0.04756	2,995	1,358	1,455	660	4,450	2,018
NH	0.00046	34	16	17	8	51	23
MA	6.82046	510,028	231,345	247,814	112,407	757,842	343,751
RI	15.68298	1,172,758	531,954	569,825	258,468	1,742,583	790,422
CT	2.25708	160,521	72,811	77,995	35,378	238,516	108,189
NY	7.64699	531,674	241,163	258,332	117,177	790,006	358,341
NJ	16.72499	1,247,692	565,944	606,234	274,983	1,853,926	840,927
DE	0.01779	(17,322)	(7,857)	(8,417)	(3,818)	(25,739)	(11,675)
MD	2.03910	136,184	61,772	66,170	30,014	202,354	91,786
VA	21.31676	1,427,228	647,380	693,468	314,552	2,120,696	961,932
NC	27.44584	2,049,008	929,415	995,581	451,588	3,044,589	1,381,002
Total	100.00000	7,220,801	3,275,300	3,508,473	1,591,416	10,729,274	4,866,717

¹ Kilograms are as converted from pounds, and may not necessarily add due to rounding.

² Parentheses indicate a negative number.

Classification

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

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

Dated: August 20, 1999.

Gary C. Matlock,

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

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