

Fishery Management Plan for Atlantic Swordfish (Swordfish FMP), on Draft Amendment 1 to the Fishery Management Plan for Sharks of the Atlantic Ocean (Shark FMP) and proposed rules implementing a limited access system for each fishery. The proposed rule for the Shark FMP was published in the Federal Register on December 27, 1996 and the proposed rule for the Swordfish FMP was published on February 26, 1997. NMFS is also requesting written comments on Draft Amendment 1 to the Swordfish FMP, the Draft Amendment 1 to the Shark FMP and on the proposed rules.

DATES: Written comments will be accepted until April 28, 1997. Public hearings will be held in March and April. See **SUPPLEMENTARY INFORMATION** for specific dates and times of the hearings.

ADDRESSES: Written comments should be sent to Dr. Rebecca Lent, Chief, HMS Division, Office of Sustainable Fisheries (F/SF1), 1315 East-West Highway, Silver Spring, MD 20910 (FAX: 301-713-1917). Clearly mark the outside of the envelope "Limited Access Comments." Copies of the proposed rule and Draft Amendment 1 to the Swordfish FMP, which includes an environmental assessment and regulatory impact review, are available from James Chambers at the same address. Public hearings will be held in Maine, Rhode Island, New York, New Jersey, Maryland, North Carolina, Florida, Louisiana, the U.S. Virgin Islands and Puerto Rico. See **SUPPLEMENTARY INFORMATION** for locations of the hearings.

FOR FURTHER INFORMATION CONTACT: James Chambers, Fishery Management Specialist, or Margo Schulze, Fishery Biologist, HMS Division, 301-713-2347.

SUPPLEMENTARY INFORMATION: Issues that are addressed in Draft Amendment 1 to the Swordfish FMP include: Proposed implementation of a two-tiered permit system consisting of directed and incidental permits for the commercial fishery, eligibility criteria for these permits based on historical participation, transferability provisions, the permitting process, upgrading restrictions and ownerships limits.

A complete description of the measures, including the purpose and need for the proposed action concerning Atlantic swordfish, is contained in the proposed rule published February 26, 1997 (62 FR 8672), and is not repeated here. Copies of the proposed rule and Draft Amendment 1 to the Swordfish FMP may be obtained by writing (see **ADDRESSES**) or calling one of the contact persons (see **FOR FURTHER INFORMATION**

CONTACT). Draft Amendment 1 to the Shark FMP and its proposed rule were published December 27, 1996 (61 FR 68202), and address similar issues to those in proposed rule and Draft Amendment 1 to the Swordfish FMP.

To accommodate people unable to attend a hearing or wishing to provide additional comments, NMFS also solicits written comments on the proposed rules.

The public hearings are scheduled as follows:

1. Friday, March 21, 1997—City Hall (Commission Chambers, 1st floor), 100 North Andrews Avenue, Ft. Lauderdale, FL 33301, (954) 761-5002, 3 p.m.–6 p.m.

2. Monday, March 31, 1997—West Bank Regional Library Meeting Room (1st floor), 2751 Manhattan Boulevard (near Lapalco Boulevard), Harvey, LA 70058-6144, (504) 364-3972, 3 p.m.–6 p.m.

3. Tuesday, April 1, 1997—Town Hall Auditorium, 19305 Gulf Boulevard, Indian Shores, FL 33785, (813) 595-4020, 7 p.m.–10 p.m.

4. Wednesday, April 2, 1997—Monroe County Public Library (Auditorium), 700 Flemming Street, Key West, FL 33040 (305) 292-3595, 4 p.m.–6 p.m.

5. Thursday, April 3, 1997—Pan Am Dock (East), Isla Grande, San Juan, PR 00907, (803) 522-1509, 4 p.m.–7 p.m.

6. Saturday, April 5, 1997—Town Hall at the Caravelle Hotel, 44A Queen Cross Street, Saint Croix, USVI 00820, (809) 773-0687, 3 p.m.–6 p.m.

7. Tuesday, April 8, 1997—Portland Public Library (Room 316), 5 Monument Square, Portland, ME 04101, (207) 871-1755, 7 p.m.–10 p.m.

8. Wednesday, April 9, 1997—Providence Biltmore Hotel State Suite C (2nd level), Kennedy Plaza, Providence RI 02903, (401) 455-3027, 3 p.m.–6 p.m.

9. Thursday, April 10, 1997—Montauk Fire Hall, 12 Flamingo Avenue, Montauk, NY 11954, (516) 668-5695, 7 p.m.–10 p.m.

10. Friday, April 11, 1997—Barnegat Light Firehouse, 10th and Boulevard Streets, Long Beach Island, Barnegat Light, NJ 08006, (609) 494-1280, 7 p.m.–10 p.m.

11. Sunday, April 13, 1997—North Carolina Aquarium (Auditorium), Airport Road, Manteo, NC 27954, (919) 473-3494, 7 p.m.–10 p.m.

12. Monday, April 28, 1997—NOAA, First Floor Conference Room (1W611), Silver Spring Metro Center Building 4, 1305 East-West Highway, Silver Spring, MD 20910, (301) 713-2227, 10 a.m.–12 p.m.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to James Chambers or Margo Schulze (see **ADDRESSES**) at least 15 days before the hearing date.

Authority: 16 U.S.C. 1801 *et seq.* and 16 U.S.C. 971 *et seq.*

Dated: March 4, 1997.

Gary C. Matlock,

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

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50 CFR Part 648

[I.D. 022797A]

New England Fishery Management Council; Meeting

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

ACTION: Public meeting.

SUMMARY: The New England Fishery Management Council (Council) will hold a 2-day public meeting on March 12 and 13, 1997, to consider actions affecting New England fisheries in the exclusive economic zone.

DATES: The meeting will be held on Wednesday, March 12, 1997, at 10 a.m. and on Thursday, March 13, 1997, at 8:30 a.m.

ADDRESSES: The meeting will take place at the King's Grant Inn, Route 128 and Trask Lane, Danvers, MA; telephone (508) 774-6800. Requests for special accommodations should be addressed to the New England Fishery Management Council, 5 Broadway, Saugus, MA 01906-1097; telephone: (617) 231-0422.

FOR FURTHER INFORMATION CONTACT: Paul J. Howard, Executive Director, New England Fishery Management Council, (617) 231-0422.

SUPPLEMENTARY INFORMATION:

March 12, 1997

The March 12 session will begin with Enforcement Committee recommendations on cod trip limits and fishing vessels transiting closed areas. In addition to reviewing NMFS and Coast Guard reports to the Council on recent enforcement actions, the Enforcement Committee will provide an update on a Vessel Tracking System trial program and an evaluation of the current scallop regulations. The Scallop Committee will review its most recent discussion of

fishing effort consolidation. The day will conclude with a report by the Groundfish Committee chairman. His briefing on the committee's discussions will include: Maintaining or opening groundfish closed areas to scallop dredging; consideration of a framework adjustment to the Northeast Multispecies Fishery Management Plan (FMP) that would contain measures to protect incoming year classes of winter flounder; development of a timetable for winter flounder stock rebuilding and for whiting management; consideration of a year-round fishery for small scallop dredges in the Nantucket Shoals Dogfish Exemption Area; the August 15 through September 13 Northeast Closure Area for groundfish, as it relates to the gillnet fishery requirement to take 21 days off from groundfish fishing between June and September; and initial action on a framework adjustment to the FMP under the framework for abbreviated rulemaking procedure contained in 50 CFR 648.82. In addition to allowing fishing in the North Atlantic Fisheries Organization regulated area without using multispecies days-at-sea (DAS) allocations, this framework adjustment would provide incentives to fish offshore through several means including not counting steaming time against multispecies DAS allocations.

March 13, 1997

The Council Chairman; Executive Director; Regional Administrator, Northeast Region, NMFS; representatives from the Northeast Fisheries Science Center; Atlantic States Marine Fisheries Commission (ASMFC); U.S. Coast Guard; and the Mid-Atlantic Fishery Management Council liaison will report on recent activities. There will be a briefing on the Atlantic Coastal Cooperative Statistics Program followed by an update on public comments received to date on monkfish management proposals. During the latter portion of the meeting, the Responsible Fishing Committee will discuss fishermen's training and certification programs. There will be an update on ASMFC's lobster management program and a NMFS update on actions to restrict lobster gear to reduce the risk of northern right whale entanglements.

Announcement of Experimental Fishery Applications

There will be a discussion of several experimental fisheries that have been recently submitted to NMFS for review and approval. Among the proposed experiments are extensions of two previous experiments, two expansions

of previously conducted experiments and two new experiments. The Regional Administrator has conducted preliminary reviews of the experimental fishery proposals and is seeking Council and industry comments on the proposals.

The New Jersey Department of Environmental Protection, Division of Fish Game and Wildlife conducted studies on food habits and digestive systems of lobsters taken from artificial reef systems off of New Jersey. One fishing vessel was issued an experimental fishing permit (EFP) that exempted it from the possession limit for vessels without a Federal American lobster permit, size limit, and prohibition on possession of lobster parts. The investigators were not able to collect their target numbers of 150 lobsters and have therefore requested an extension of the EFP to cover the period from June through October of 1997.

The Research Foundation of the State University of New York (SUNY) has been issued an EFP for a fishing vessel that it has chartered to conduct studies on interactions between juvenile groundfish and their habitats. The study is funded under the Saltonstall/Kennedy Grant program and the EFP expires on April 30, 1997. SUNY has requested that the EFP be extended to cover the duration of the funded activities. The project involves collection of samples of juvenile fish in the New York Bight area with small mesh trawl gear. An EFP is required to exempt the participating vessel from DAS, gear and mesh size restrictions, and minimum fish size limits of the FMP.

A member of the fishing industry has requested that the seasonal experimental whiting separator trawl fishery conducted in the Northern Shrimp Small Mesh Exemption Area be extended to allow fishing under the experiment for the entire year. In addition, the applicant has requested the use of a grate bar spacing of 2 inches (5.08 cm) instead of the previous 1-9/16 - inch (4-cm) bar spacing used in the previous fishery. EFPs would be necessary to exempt participating vessels from mesh size, DAS, and bycatch restrictions of the FMP.

The Massachusetts Division of Marine Fisheries (MADMF) has requested that its experimental small mesh raised footrope trawl whiting fishery conducted in Cape Cod Bay be expanded to allow two to three vessels to fish in three additional distinct areas within the GOM/GB Regulated Mesh Area. MADMF would monitor the

vessels and the trawl gear to determine if the raised footrope trawl is an appropriate gear to reduce bycatch of regulated species in areas outside of Cape Cod Bay. EFPs would be required to exempt vessels from mesh size, DAS, and bycatch restrictions of the multispecies FMP.

The MADMF and an industry member have submitted an application to conduct comparisons of catch rates of yellowtail flounder using diamond and square mesh trawls. The purpose of the study is to determine the selectivity of diamond or square mesh trawls on yellowtail flounder. An EFP would be required to exempt the vessel from possession limits, DAS, and mesh size restrictions of the FMP. While the vessel will be using the regulated 6-inch (15.24-cm) mesh trawls, small mesh codend covers will be used to measure the catches of the fish for each type of trawl. The applicants have further requested that the vessel be allowed to retain and land legal sized regulated multispecies on the experimental trips.

The Maine Department of Marine Resources (MEDMR) had requested that fishing vessels and recreational fishers be allowed to catch and retain juvenile tagged regulated multispecies that were raised and released by MEDMR. Participating fishers would return the tagged fish to MEDMR. The purpose of the tagged fish recovery effort is to measure the survivability of released fish. Those catching and returning tagged juvenile regulated species would be required to be exempted from the minimum fish size limits and possibly DAS and possession limits of the multispecies FMP.

Prior to the conclusion of the meeting, the Council will discuss policy advice to the Mid-Atlantic Council on mackerel joint ventures and comments on NMFS' proposed swordfish fishery limited access program.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see ADDRESSES) at least 5 days prior to the meeting date.

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

Dated: March 4, 1997.

Bruce Morehead,

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