

commercially important species would be measured. Species that do not meet minimum size requirements would be returned to the sea immediately following scientific processing. Experimental fishing operations would take place from approximately April 1 through September 30, 2003. A final report containing the results of the study would be provided to NMFS no later than 6 months following completion of the study.

A portion of the experimental fishing area proposed in this EFP is in the GOM RMA. However, the majority of the experiment area is on GB, and all vessels participating in the proposed experimental fishery would be required to abide by existing trip limits for GB cod and haddock for the duration of this experiment. Current regulations restrict vessels fishing on GB to landing no more than 2,000 lb (907.2 kg) of cod per days-at-sea (DAS), up to a maximum of 20,000 lb (9,071.8 kg) per trip. Because each vessel is expected to utilize 5 sea days, these vessels would be limited to landing a maximum of 2,000 -10,000 lb (907.2 - 4,536 kg) of cod per trip. Vessels would also be restricted to landing no more than 30,000 lb (13,608 kg) of haddock per trip from May through September, and 50,000 lb (22,680 kg) of haddock per trip, from October through April. In addition, vessels would be subject to the haddock trip limit, by day or by trip, as required by the regulations, should a daily haddock trip limit or overall trip limit be in effect for the commercial fishery (i.e., at the start of the May 1, 2003, fishing year, and if a daily limit is imposed prior to the end of the fishing year in order to prevent the haddock TAC from being exceeded).

EFPs would be issued to four vessels, exempting them from the specific minimum mesh size requirements restrictions and seasonal GOM Rolling Closure Area II and III of the FMP.

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

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

Dated: March 6, 2003.

Richard W. Surdi,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 030303053-3053-01; I.D. 022403C]

RIN 0648-AQ70

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Revision of Charter Vessel and Headboat Permit Moratorium Eligibility Criterion

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS issues this proposed rule to revise, consistent with the actions taken by the Gulf of Mexico Fishery Management Council (Council), one of the eligibility criteria for obtaining a charter vessel/headboat permit under the moratorium established in Amendment 14 to the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (Amendment 14) and Amendment 20 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (Amendment 20). This proposed rule would also reopen the application process for obtaining Gulf charter vessel/headboat moratorium permits and extend the applicable deadlines; extend the expiration dates of valid or renewable open access permits for these fisheries; clarify, as requested by the Gulf of Mexico Fishery Management Council (Council), a constraint on issuance of historical captain permits under the moratorium; and extend the expiration date of the moratorium to account for the delay in implementation. The intended effect of this proposed rule is to implement the charter vessel/headboat moratorium in the Gulf of Mexico consistent with the actions taken by the Council.

DATES: Comments must be received no later than 5 p.m., eastern time, on March 27, 2003.

ADDRESSES: Written comments on the proposed rule must be sent to Phil Steele, Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702. Comments also may be sent via fax to 727-570-

5583. Comments will not be accepted if submitted via e-mail or Internet. Copies of documents supporting this proposed rule, which include an environmental assessment, a regulatory impact review (RIR), and an initial Regulatory Flexibility Act analysis (IRFA) and copies of two minority reports opposing the revision of the eligibility criterion and the procedural approach for implementation are available from the same address.

Comments on the collection-of-information requirements contained in this rule should be sent to Robert Sadler, Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702, and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20503 (Attention: NOAA Desk Officer).

FOR FURTHER INFORMATION CONTACT: Phil Steele, telephone: 727-570-5305, fax: 727-570-5583, e-mail: Phil.Steele@noaa.gov.

SUPPLEMENTARY INFORMATION: The fishery for reef fish is managed under the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (Reef Fish FMP) that was prepared by the Council. The fisheries for coastal migratory pelagic resources are managed under the Fishery Management Plan for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (Coastal Migratory Pelagics FMP) that was prepared jointly by the Council and the South Atlantic Fishery Management Council. These FMPs were approved by NMFS and implemented under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

Background

The Council, in cooperation with the Gulf charter vessel/headboat industry, developed Amendments 14 and 20 to address issues of increased fishing mortality and fishing effort in the for-hire sector of the recreational fishery in the Gulf of Mexico. These amendments require charter vessels and headboats operating in the fisheries for Gulf reef fish or Gulf coastal pelagic fish to obtain a moratorium permit and also establish a 3-year moratorium on issuance of additional permits for these for-hire fisheries. NMFS approved Amendments 14 and 20 and promulgated the charter vessel/headboat moratorium regulations (67 FR 43558, June 28, 2002) to implement the amendments. However, after a recent review of the administrative record, the Council and