

State	% of quota	2003 Commercial Quota (lb)	2003 Commercial Quota (kg)	2003 Commercial Quota (lb)	2003 Commercial Quota (kg)
				With Research Set-Aside	With Research Set-Aside
VA	11.8795	1,247,348	565,787	1,242,601	563,640
NC	32.0608	3,366,384	1,526,966	3,353,575	1,521,172
SC	0.0352	3,696	1,676	3,682	1,670
GA	0.0095	998	452	994	451
FL	10.0597	1,056,269	479,115	1,052,249	477,297
Total	100.0000	10,500,000	4,762,720	10,460,058	4,744,652

Classification

This action is authorized by 50 CFR part 648 and has been determined to be not significant for purposes of Executive Order 12866. The Council prepared an Initial Regulatory Flexibility Analysis (IRFA) that describes the impact this proposed rule, if adopted, would have on small entities. A description of the action, why it is being considered, and the legal basis for the action are provided in the preamble for the proposed rule, and in the **SUMMARY** section of the preamble, and in the IRFA. A summary of the IRFA follows.

An active participant in the commercial sector was defined as being any vessel that reported having landed one or more pounds of bluefish to NMFS-permitted dealers during calendar year 2001. All vessels are considered to be small entities. Of the active vessels in 2001, 846 landed bluefish from Maine to North Carolina. The dealer data do not cover vessel activity in the South Atlantic. State trip ticket report data indicate that 1,092 vessels landed bluefish in North Carolina. Bluefish landings in South Carolina and Georgia represented less than 1/10 of 1 percent of total landings. Therefore, it was assumed that no vessels landed bluefish from those states. In addition, 214 vessels landed bluefish to dealers on Florida's east coast in 2001. In recent years, approximately 2,063 party/charter vessels caught bluefish.

The Council analyzed three TAL alternatives. The preferred alternative examined the impacts on the industry that would result from a TAL of 37.293 million lb (16.916 million kg), allocated to the commercial and recreational sectors (10.460 million lb (4.74 million kg) commercial; 26.691 million lb (12.107 million kg) recreational), and an RSA of 141,900 million lb (64,356 kg). Alternative 2 considered a TAL of 37.293 million lb (16.916 million kg), allocated to the commercial and recreational sectors (6.315 million lb (2.864 million kg) commercial; 30.835 million lb (13.986 million kg, recreational), and an RSA of 141,900 lb

(64,365 kg). Alternative 3, provides for a lower commercial quota than Alternative 1, considers a TAL of 37.293 million lb (16.916 million kg) 9.546 million lb (4.329 million kg) commercial; 27.604 million lb (12.521 million kg) recreational), and an RSA of 141,900 lb (64,365 kg).

On a coastwide basis, the preferred alternative would allow for less than a 1-percent decrease in total allowable commercial landings for bluefish in 2003 versus the 2002 commercial quota, due to the amount specified for the RSA. The 2003 recreational harvest limit would be 63 percent higher than the estimated recreational landings in 2002. Under this alternative, no vessels would realize significant revenue reductions. According to dealer data, 650 federally permitted commercial vessels would be expected to incur revenue losses of 5 percent or less, and 193 commercial vessels would incur revenue gains. The affected entities would be mostly smaller vessels that land bluefish in Massachusetts, New Jersey, New York and North Carolina. The revenue increase is primarily due to the fact that the New York quota was adjusted downward in 2002 due to overages in 2001. Thus, that state shows a positive proportional change in quota from 2002 to 2003 (see section 5.3 of the RIR/IRFA). In addition, economic analysis of South Atlantic Trip Ticket Report data indicated that, on average, reduction in revenues due to the change in quota levels from 2002 to 2003 are expected to have small reductions in revenue for fishermen that land bluefish in North Carolina (1.44 percent) and minimal for fishermen that land bluefish in Florida (0.07 percent).

Alternative 2 would result in a 40-percent decrease in the total allowable commercial landings for bluefish in 2003 versus 2002. The 2003 recreational harvest limit would be 88 percent higher than the estimated recreational landings in 2002. Under this scenario, according to Northeast dealer data, a total of 103 vessels would incur revenue losses from 5 to 39 percent, and 740 vessels would incur revenue losses of

less than 5 percent of their total ex-vessel revenue. Also, evaluation of South Atlantic Trip Ticket Reports indicate an average of 6.1 and 0.03-percent reductions in revenue for fishermen that land bluefish in North Carolina and Florida, respectively.

Alternative 3 would result in a 9-percent decrease in the total allowable commercial landings for bluefish in 2003 versus 2002. The 2003 recreational harvest limit would be 69 percent higher than the estimated recreational landings in 2002. Under this scenario, based on Northeast dealer data, a total of 28 vessels would incur revenue losses from 5 to 10 percent, 626 commercial vessels would incur revenue losses of less than 5 percent of their total ex-vessel revenue, and 189 vessels would incur an increase in revenue. The revenue increase is primarily due to the fact that the New York quota was adjusted downward in 2002 due to overages in 2001. Thus, that state shows a positive proportional change in quota from 2002 to 2003 (see section 5.3 of the RIR/IRFA). Also, evaluation of South Atlantic Trip Ticket Reports indicate reduction in revenues of 1.44 and 0.07-percent for fishermen that land bluefish in North Carolina and Florida, respectively.

The Council further analyzed the impacts on revenues of the proposed RSA amount for all three alternatives. The social and economic impacts of this proposed RSA are minimal. Assuming the full RSA is allocated for bluefish, the set-aside amount could be worth as much as \$45,480 dockside, based on a 2001 price of \$0.32 per pound. Assuming an equal reduction among all 834 active dealer reported vessels, this could mean a reduction of about \$55 per individual vessel. Changes in the recreational harvest limit would be insignificant (less than 1 percent decrease), if 2 percent of the TAL is used for research. It is unlikely that there would be negative impacts. A copy of this analysis is available from the Council (see **ADDRESSES**).

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