

targeted, habitat is not supporting population productivity levels needed to conserve the ESU, NMFS will notify the jurisdiction. If the jurisdiction does not make changes to respond adequately to the new information, NMFS will publish notification in the **Federal Register** announcing its intention to impose take prohibitions on activities associated with that program. Such an announcement will provide for a comment period of not less than 30 days, after which NMFS will make a final determination whether to subject the activities to all section 9 take prohibitions.

(v) NMFS approval of ordinances shall be a written approval by NMFS Northwest or Southwest Region Regional Administrator, as appropriate.

(13) The prohibitions of paragraph (a) of this section relating to threatened salmonids listed in § 223.102 (a)(7) (a)(8), and (a)(15) do not apply to non-federal forest management activities conducted in the State of Washington provided that:

(i) The action is in compliance with forest practice regulations implemented by the Washington Forest Practices Board that NMFS has found are at least as protective of habitat functions as are the regulatory elements of the Forests and Fish Report dated April 29, 1999, and submitted to the Forest Practices Board by a consortium of landowners, tribes, and state and Federal agencies. Before this regulation becomes final, the Director of the Federal Register must approve this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the report may be obtained on request to NMFS, Protected Resources Division, 525 NE Oregon St., Suite 500, Portland, OR 97232-2737, or NMFS, Office of Protected Resources, 1315 East-West Highway, Silver Spring, MD 20910.

(ii) All other elements of the Forests and Fish Report are being implemented.

(iii) Actions involving use of herbicides, pesticides or fungicides are not included within this exception.

(iv) Actions taken under alternate plans are not within this limit on the take prohibitions.

(v) Prior to determining that regulations adopted by the Forest Practice Board are at least as protective as the elements of the Forests and Fish Report, NMFS will publish notification in the **Federal Register** announcing the availability of the report and regulations for public review and comment.

(vi) On a regular basis, NMFS will evaluate the effectiveness of the program in protecting and achieving habitat function commensurate with conservation of the listed salmonids. If

it is not adequate, NMFS will identify ways in which the program needs to be altered or strengthened. Changes may be required if the program is not protecting desired habitat functions, or where even with the habitat characteristics and functions originally targeted, habitat is not supporting population productivity levels needed to conserve the ESU. If Washington does not make changes to respond adequately to the new information, NMFS will publish notification in the **Federal Register** announcing its intention to impose take prohibitions on activities associated with the program. Such an announcement will provide for a comment period of not less than 30 days, after which NMFS will make a final determination whether to subject the activities to all ESA section 9 take prohibitions.

(vii) NMFS approval of a regulations shall be a written approval by NMFS Northwest or Southwest Region Regional Administrator, as appropriate.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[I.D. 122199D]

New England Fishery Management Council; Public 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 3-day public meeting on January 18, 19, and 20, 2000, to consider actions affecting New England fisheries in the exclusive economic zone (EEZ).

DATES: The meeting will be held on Tuesday, January 18, 2000, at 1:00 p.m., and Wednesday and Thursday, January 19 and 20, at 8:30 a.m.

ADDRESSES: The meeting will be held at the Sheraton Ferncroft, 50 Ferncroft Road, Danvers, MA 01923; telephone (978) 777-2500. Requests for special accommodations should be addressed to the New England Fishery Management Council, 50 Water Street, The Tannery - Mill 2, Newburyport, MA 01950; telephone: (978) 465-0492.

FOR FURTHER INFORMATION CONTACT: Paul J. Howard, Executive Director, New

England Fishery Management Council (978) 465-0492.

SUPPLEMENTARY INFORMATION:

Tuesday, January 18, 2000

After introductions, the meeting will begin with reports on recent activities from the Council Chairman, Executive Director, the NMFS Regional Administrator, Northeast Fisheries Science Center and Mid-Atlantic Fishery Management Council liaisons, and representatives of the U.S. Coast Guard and the Atlantic States Marine Fisheries Commission. Following the reports, the Council will receive an Advisory Report on the status of the Northeast region skate complex. The Council will then review and possibly approve a scoping document for an amendment that will consider establishing a controlled access system in the Atlantic herring fishery and consider approval of a Council request that NMFS implement the permit and reporting requirements of the Fishery Management Plan (FMP) for the Atlantic Herring Fishery through an emergency rule.

Wednesday, January 19, 2000

The Chairman of the Groundfish Committee will begin this session of the meeting by considering approval of final action on Framework Adjustment 33, the annual adjustment to the Northeast Multispecies FMP, including setting of target Total Allowable Catch (TAC) and management measures for the 2000-2001 fishing year (May 1, 2000-April 30, 2001), with possible extension into the following fishing year. Options under consideration for the annual adjustment include: Management measures to achieve Northeast Multispecies FMP objectives for Gulf of Maine and Georges Bank cod stocks, including area closures, trip limits, an increase in the minimum fish size and adjustments to days-at-sea (DAS); an adjustment of the Georges Bank haddock trip limit; a decrease in the minimum mesh size for otter trawl vessels in the Large Mesh Permit Category and an allowance for exit from the program after one month; a revision of the definition of exempted midwater trawl gear; an exemption for raised footrope trawl gear in part of the Gulf of Maine closed areas; an exemption for small scallop dredges in the Western Gulf of Maine Closed Area; and an exemption certificate for party/charter vessels to fish in Gulf of Maine closed areas (vessels may not fish on DAS while in possession of the certificate). The discussion of groundfish issues will continue throughout the rest of the afternoon.

Thursday, January 20, 2000

The Chairman of the Scallop Committee will begin this session of the meeting with approval of final action on Framework Adjustment 13 to the Atlantic Sea Scallop FMP. The framework proposes access for scallop vessels to Closed Area I, Closed Area II, and the Nantucket Lightship Area during the 2000–2001 fishing year (March 1, 2000–February 28, 2001). The Council approved some provisions at the previous meeting on Framework Adjustment 13, including scallop TAC, scallop possession limit, initial trip allocations, and DAS tradeoffs. The Council will consider approving TACs for yellowtail flounder, multispecies possession limits, seasons to allow access, access by general category scallop vessels, research TAC administration, and other related measures.

During the afternoon portion of the meeting, the Whiting Committee will ask the Council to approve a scoping document for an upcoming action that may amend the Multispecies FMP by removing whiting, red hake, offshore hake, and possibly ocean pout and establishing a separate Small Mesh FMP for these species. The scoping document for this action may include options for limiting access to small mesh species fisheries, options for applying a TAC to

small mesh fisheries, and any other issues that the Council identifies. The Red Crab Committee will seek approval of a scoping document for FMP development and a control date for entry into the fishery. A number of other committee reports will follow this agenda item. The Dogfish Committee will provide a briefing on the fishing year 2000–2001 (May 1, 2000–April 30, 2001) annual specification package to be submitted to the NMFS Regional Administrator. The Research Steering Committee will update the Council on its progress in the development of Regional research priorities. The Capacity, Gear Conflict and Habitat Committees will also report on ongoing activities. The Regional Administrator will consult with the Council regarding an application received by NMFS for an Experimental Fishery Permit to investigate the effects of a modified dredge in the Atlantic Sea Scallop fishery to reduce yellowtail flounder and barndoor skates bycatch will also be discussed. The application is unusual because it requests a scallop days-at-sea exemption while commercially harvesting scallops prior to the implementation of a proposed program to allow quota set-aside for research. There will be a discussion and opportunity for public comment. The meeting will adjourn after the Council addresses any other outstanding issues.

Although other non-emergency issues not contained in this agenda may come before the Council for discussion, those issues may not be the subject of formal action during this meeting. Council action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Documents pertaining to framework adjustment actions are available for public review 7 days prior to a final vote by the Council. Copies of the documents may be obtained from the Council (see **ADDRESSES**).

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.

Dated: December 27, 1999

George H. Darcy,

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