



(8) Within these areas, the primary constituent elements include:

- (i) Permanent, flowing, cool, clean water;
- (ii) Geomorphically stable stream channels and banks;
- (iii) Pool, riffle, and run sequences within the channel;
- (iv) Stable sand, gravel, cobble, boulder, and bedrock substrates with no more than low amounts of fine sediment;
- (v) Moderate to high stream gradient;
- (vi) Periodic natural flooding; and
- (vii) Fish hosts, with adequate living, foraging, and spawning areas for them.

* * * * *

Dated: September 18, 2002.

Craig Manson,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 02-24362 Filed 9-26-02; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 011109274-1301-02; I.D. 092002A]

Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for Summer Period

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

ACTION: Commercial scup quota harvested for summer period.

SUMMARY: NMFS announces that the scup commercial quota available in the summer period to the coastal states from Maine to North Carolina has been harvested. Federally permitted commercial vessels may not land scup in these states for the remainder of the

2002 summer quota period (through October 31, 2002). Regulations governing the scup fishery require publication of this notification to advise the coastal states from Maine through North Carolina that the quota has been harvested and to advise Federal vessel permit holders and Federal dealer permit holders.

DATES: Effective 0001 hrs local time, October 5, 2002, through 2400 hrs local time, October 31, 2002.

FOR FURTHER INFORMATION CONTACT: Richard A. Pearson, Fishery Policy Analyst, (978) 281-9279.

SUPPLEMENTARY INFORMATION: Regulations governing the scup fishery are found at 50 CFR part 648. The regulations require annual specification of a commercial quota that is allocated into three quota periods. The summer commercial quota (May through October) is distributed to the coastal states from Maine through North Carolina. The process to set the annual

commercial quota and the seasonal allocation is described in § 648.120.

The total commercial quota for scup for the 2002 calendar year was initially set at 8,000,000 lb (3,628,739 kg) and then adjusted downward to 7,834,522 lb (3,553,679 kg), for research quota set-asides (66 FR 66351; December 26, 2001). The summer period quota, which is equal to 38.95 percent of the annual commercial quota, was 3,051,546 lb (1,384,158 kg). The quota allocation was adjusted downward to compensate for 2001 summer period landings in excess of the 2001 summer period quota, consistent with the procedures in § 648.140. The final adjusted summer period quota was set at 2,556,595 lb (1,159,652 kg).

Section 648.121 requires the Administrator, Northeast Region, NMFS (Regional Administrator) to monitor the commercial scup quota for each quota period and, based upon dealer reports, state data, and other available information, to determine when the commercial quota has been harvested. NMFS is required to publish notification in the **Federal Register** advising and notifying federally permitted commercial vessels and federally permitted dealers that, effective upon a specific date, the scup commercial quota has been harvested. The Regional Administrator has determined, based upon dealer reports and other available information, that the scup commercial quota for the 2002 summer period has been harvested.

The regulations at § 648.4(b) provide that Federal scup moratorium permit holders agree as a condition of the permit not to land scup in any state after NMFS has published a notification in the **Federal Register** stating that the commercial quota for the period has been harvested and that no commercial quota for scup is available. Therefore, effective 0001 hours, October 5, 2002, further landings of scup by vessels holding Federal scup moratorium permits are prohibited through October 31, 2002. The Winter II period for commercial scup harvest will open on November 1, 2002. Effective 0001 hours, October 5, 2002, federally permitted dealers are also advised that they may not purchase scup from federally permitted vessels that land in coastal states from Maine through North Carolina for the remainder of the summer period (through October 31, 2002).

Classification

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

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

Dated: September 20, 2002.

Virginia M. Fay,

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 660

[Docket No. 020430101-2101-01; I.D. 082802D]

Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Action 11 - Adjustment of the Recreational Fishery from the U.S.-Canada Border to Cape Falcon, OR

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

ACTION: Adjustment; request for comments.

SUMMARY: NMFS announces that the recreational fishery in the area from the U.S.-Canada Border to Cape Falcon, OR was modified to close to chinook retention effective Saturday, August 10, 2002, in the Neah Bay, La Push, and Columbia River sub-areas. The three sub-areas will remain open through the earlier of their established season end dates or the attainment of their respective marked coho subarea quotas. The Westport sub-area reopened as scheduled on August 11, 2002, but was modified to close at midnight August 15, 2002, with the bag limit modified to two fish per day, but only 1 chinook, and all retained coho must have a healed adipose fin clip. The chinook minimum size limit continues to be 28 inches (71.1 cm) total length. The Northwest Regional Administrator, NMFS (Regional Administrator), determined that available catch and effort data indicated that these management measures should be implemented to provide greater access to the coho quota. This action was necessary to conform to the 2002 management goals.

DATES: Adjustment in the area from the U.S.-Canada Border to Cape Falcon, OR, effective 0001 hours local time (l.t.), August 10, 2002, through 2359 hours l.t., September 8, 2002, for the Neah Bay and La Push sub-areas, 2359 hours l.t., August 15, 2002 for the Westport sub-area, and 2359 hours l.t. September 30,

2002, for the Columbia River sub-area; or until modified by a subsequent inseason, which will be published in the **Federal Register** for the west coast salmon fisheries, or until the effective date of the 2003 management measures. Comments will be accepted through October 15, 2002.

ADDRESSES: Comments on these actions must be mailed to D. Robert Lohn, Regional Administrator, Northwest Region, NMFS, NOAA, 7600 Sand Point Way N.E., Bldg. 1, Seattle, WA 98115-0070; or faxed to 206-526-6376; or Rod McInnis, Acting Regional Administrator, Southwest Region, NMFS, NOAA, 501 W. Ocean Blvd., Suite 4200, Long Beach, CA 90802-4132; or faxed to 562-980-4018. Comments will not be accepted if submitted via e-mail or the Internet. Information relevant to this document is available for public review during business hours at the Office of the Regional Administrator, Northwest Region, NMFS.

FOR FURTHER INFORMATION CONTACT: Christopher Wright, 206-526-6140.

SUPPLEMENTARY INFORMATION: The Regional Administrator modified the season for the recreational fishery in the area from the U.S.-Canada Border to Cape Falcon, OR to close to chinook retention effective Saturday, August 10, 2002, in the Neah Bay, La Push, and Columbia River sub-areas. The three sub-areas will remain open through the earlier of their established season end dates or the attainment of their respective marked coho subarea quotas. The Westport sub-area reopened as scheduled on August 11, 2002, but was modified to close at midnight August 15, 2002, with the bag limit modified to two fish per day, but only 1 chinook, and all retained coho required to have a healed adipose fin clip. The chinook minimum size limit continues to be 28 inches (71.1 cm) total length. Information provided on August 8, 2002, regarding the available catch and effort data indicated that these management measures should be implemented to provide greater access to the coho quota. Modification of fishing seasons, species that may be caught, and bag limits are authorized by regulations at 50 CFR 660.409(b)(1)(i), (ii), and (iii), respectively.

In the 2002 annual management measures for ocean salmon fisheries (67 FR 30616, May 7, 2002), NMFS announced the recreational fishery in the area from the U.S.-Canada Border to Cape Falcon, OR would have an overall chinook quota of 67,500 fish, with each of its four sub-areas having a chinook guideline. The sub-areas were