

Number (302) 739-3689, attn: Karen J'Anthony; or EPA Region III, Library, 2nd Floor, 1650 Arch Street, Philadelphia, PA 19103-2029, Phone number: (215) 814-5254.

FOR FURTHER INFORMATION CONTACT:

Lillie Ellerbe, Mailcode 3WC21, RCRA State Programs Branch, U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029, Phone Number: (215) 814-5454.

SUPPLEMENTARY INFORMATION: For additional information, please see the immediate final rule published in the "Rules and Regulations" section of this *Federal Register*.

Dated: February 15, 2002.

Donald S. Welsh,

Regional Administrator, Region III.

[FR Doc. 02-4529 Filed 2-26-02; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 02-317, MM Docket No. 02-29, RM-10372]

Digital Television Broadcast Service; Bowling Green, OH

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Bowling Green State University, licensee of noncommercial educational station WBGU-TV, NTSC channel *27, Bowling Green, Ohio, proposing the substitution of DTV channel *20 for DTV channel *56. DTV Channel *20 can be allotted to Bowling Green, Ohio, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates (41-08-13 N. and 83-54-23 W.). Since the community of Bowling Green is within 400 kilometers of the U.S.-Canadian border, concurrence from the Canadian government must be obtained for this allotment. As requested, we propose to allot DTV Channel *20 to Bowling Green with a power of 200 and a height above average terrain (HAAT) of 320 meters.

DATES: Comments must be filed on or before April 8, 2002, and reply comments on or before April 23, 2002.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the

petitioner, or its counsel or consultant, as follows: Wayne Coy, Jr., Cohn and Marks, LLP, Suite 300, 1920 N Street, NW, Washington, DC 20036-1622 (Counsel for Bowling Green State University).

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418-1600.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 02-29, adopted February 8, 2002, and released February 14, 2001. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail qualexint@aol.com.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television, Digital television broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73—TELEVISION BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, and 336.

§ 73.622 [Amended]

2. Section 73.622(b), the Table of Digital Television Allotments under Ohio is amended by removing DTV Channel *56 and adding DTV Channel *20 at Bowling Green.

Federal Communications Commission.

Barbara A. Kreisman,

Chief, Video Services Division, Mass Media Bureau.

[FR Doc. 02-4578 Filed 2-26-02; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[I.D. 021902F]

RIN 0648-AO62

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

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

ACTION: Notice of availability of an amendment for a charter vessel/headboat permit moratorium; request for comments.

SUMMARY: NMFS announces that the Gulf of Mexico Fishery Management Council (Council) has submitted to NMFS an amendment for a charter vessel/headboat permit moratorium amending the fishery management plans (FMPs) for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (Amendment 14) and the Reef Fish Resources of the Gulf of Mexico (Amendment 20) for review, approval, and implementation. Amendments 14 and 20 would establish a 3-year moratorium on the issuance of charter vessel or headboat (for-hire) permits for the reef fish fishery and coastal migratory pelagics fishery in the exclusive economic zone (EEZ) of the Gulf of Mexico. In addition, as a consequence of the proposed moratorium, the current charter vessel/headboat permit for coastal migratory pelagic fish would have to be restructured as separate permits for the Gulf and South Atlantic. Written comments are requested from the public.

DATES: Written comments must be received on or before April 29, 2002.

ADDRESSES: Comments must be mailed to the Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702. Comments may

also be sent via fax to 727 522 5583. Comments will not be accepted if submitted via e-mail or Internet.

Copies of Amendments 14 and 20, which include an environmental assessment, a regulatory impact review, and copies of two related minority reports opposing implementation of the proposed moratorium may be obtained from the Gulf of Mexico Fishery Management Council, The Commons at Rivergate, 3018 U.S. Highway 301 North, Suite 1000, Tampa, FL 33619-2266; telephone: 813-228-2815; fax: 813-833-1844.

Written comments regarding the collection-of-information (e.g. permits) requirements contained in Amendments 14 and 20 may be submitted 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, Washington, DC 20503 (Attention: NOAA Desk Officer). Written comments regarding all other actions set forth in the amendment may be submitted to Phil Steele, Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

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

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), as amended by the Sustainable Fisheries Act, requires each Regional Fishery Management Council to submit an FMP or FMP amendment to NMFS for review and approval, disapproval, or partial approval. The Magnuson-Stevens Act also requires that NMFS, upon receiving an FMP or FMP amendment, immediately publish a document in the **Federal Register** stating that the FMP or FMP amendment is available for public review and comment.

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. There are an estimated 3,220 recreational for-hire vessels in the Gulf of Mexico. Of these for-hire vessels, there are an estimated 1,275 charter vessels and 92 headboats; the remainder are probably smaller guide boats that usually fish inshore. The number of charter boats operating in the Gulf of Mexico has increased from 516 in 1981 to 1,275 in 1998 (147 percent), while the number of headboats has remained

relatively stable during the same period. Further, the number of individual angler charter vessel trips increased by approximately 51 percent (through 1998) over the average number of trips from the previous decade.

During this same period, there has been an increase in the number of fish stocks identified as overfished or approaching an overfished state. In the January 2001 report to Congress on the Status of U.S. Fisheries, red snapper and red grouper were classified as being overfished and undergoing overfishing. Gag grouper was classified as undergoing overfishing and approaching an overfished state. King mackerel was classified as overfished and vermilion snapper was classified as undergoing overfishing. Further, the Council was notified by a letter from NMFS in January, 2001 that greater amberjack was overfished.

While all sectors have contributed to the overfishing or overfished status of these important fisheries, the proportion of landings attributed to the for-hire sector has increased substantially in recent years. The number of recreational red grouper landed by charter vessel and headboats increased from 14 percent (1988/1989) to 32 percent (1996/1997) of the total landings; the number of recreational red snapper landed increased from 34 percent (1981/1982) to 62 percent (1988/1989) to 71 percent (1996/1997) of the total landings. These increased catch rates by the recreational for-hire sector have contributed to the progressively earlier closures of the red snapper recreational fishery each year. This fishery was closed on November 27 in 1997, September 30 in 1998, and August 29 in 1999. This progressively longer closure period is adversely impacting the charter vessel headboat sector that is dependent on this stock. Additionally, the number of king mackerel landed by charter vessel and headboats increased from 17 percent in 1983 to 62 percent of the total landings in 1997. During the same period, landings for gag grouper increased from approximately 15 percent to 33 percent. Further, the recreational for-hire vessels historically have landed most of the recreational landings of vermilion snapper (90 percent) and greater amberjack (63 percent) during the period 1995/1996.

Amendments 14 and 20 would moderate short-term future increases in fishing effort and attempt to stabilize fishing mortality in the for-hire sector of the recreational fishery. The proposed moratorium is a form of limited access management that is intended to temporarily stabilize fishing effort by limiting the number of vessels in the

fishery. It would allow the Council the time necessary to develop a more comprehensive effort limitation program designed to help restore overfished stocks. A large part of the considerations of whether a more comprehensive system is needed will be the determination of actions needed to restore the aforementioned overfished stocks.

A proposed rule that would implement measures outlined in Amendments 14 and 20 has been received from the Council. In accordance with the Magnuson-Stevens Act, NMFS is evaluating the proposed rule to determine whether it is consistent with the FMPs, the Magnuson-Stevens Act, and other applicable law. If that determination is affirmative, NMFS will publish the proposed rule in the **Federal Register** for public review and comment.

Comments received by April 29, 2002 whether specifically directed to the FMP or the proposed rule, will be considered by NMFS in its decision to approve, disapprove, or partially approve the FMP. Comments received after that date will not be considered by NMFS in this decision. All comments received by NMFS on the FMP or the proposed rule during their respective comment periods will be addressed in the final rule.

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

Dated: February 21, 2002.

Bruce C. Morehead,

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

[FR Doc. 02-4672 Filed 2-26-02; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[I.D. 021902D]

Western Pacific Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings/public hearings.

SUMMARY: The Western Pacific Fishery Management Council (Council) and its Scientific and Statistical Committee (SSC) will meet in March (see **SUPPLEMENTARY INFORMATION** for specific times, dates, and agenda items).