

39. Parties who choose to file by paper should also submit their comments on diskette. These diskettes should be submitted to: Sheryl Todd, Accounting Policy Division, 445 12th Street, S.W., Washington, D.C. 20554. Such a submission should be on a 3.5-inch diskette formatted in an IBM compatible format using Word or compatible software. The diskette should be accompanied by a cover letter and should be submitted in "read only" mode. The diskette should be clearly labeled with the commenter's name, proceeding (including the docket number, in this case CC Docket No. 96-45, type of pleading (comment or reply comment), date of submission, and the name of the electronic file on the diskette. The label should also include the following phrase "Disk Copy—Not an Original." Each diskette should contain only one party's pleadings, preferably in a single electronic file. In addition, commenters must send diskette copies to the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, N.W., Washington, D.C. 20037.

40. Written comments by the public on the proposed and/or modified information collections are due on or before June 25, 2001. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed and/or modified information collections on or before July 23, 2001.

### III. Ordering Clauses

41. Pursuant to the authority contained in sections 4(i), 4(j), 201-205, 254, and 403 of the Communications Act of 1934, as amended, this Notice of Proposed Rulemaking is adopted.

42. The Commission's Consumer Information Bureau, Reference Information Center, shall send a copy of this Notice of Proposed Rulemaking, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

### List of Subjects 47 CFR Part 54

Reporting and recordkeeping requirements, Telecommunications, Telephone.

Federal Communications Commission.

**William F. Caton,**

*Deputy Secretary.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[I.D. 051501D]

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Amendment 5 to the Fishery Management Plan for the Shrimp Fishery off the Southern Atlantic States

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

**ACTION:** Notice of intent to prepare a draft supplemental environmental impact statement (DSEIS); request for comments.

**SUMMARY:** The South Atlantic Fishery Management Council (Council) intends to prepare a DSEIS to assess the impacts on the natural and human environment of management measures proposed in its draft Amendment 5 to the Fishery Management Plan for the Shrimp Fishery of the South Atlantic Region (FMP). The purpose of this document is to solicit public comments on the scope of the issues to be addressed in the DSEIS and to provide information on the Council's intended schedule for completing the DSEIS and submitting it to NMFS for filing and for further public comment.

**DATES:** Written comments on the scope of the issues to be addressed by the DSEIS for draft Amendment 5 must be received by the Council by June 25, 2001.

**ADDRESSES:** Written comments on the scope of the DSEIS and requests for additional information on the management measures proposed in draft Amendment 5 should be sent to the South Atlantic Fishery Management Council, One Southpark Circle, Suite 306, Charleston, SC 29407-4699; phone: 843-571-4366; fax: 843-769-4520; e-mail: [Kim.Iverson@noaa.gov](mailto:Kim.Iverson@noaa.gov) or [Robert.Mahood@noaa.gov](mailto:Robert.Mahood@noaa.gov).

**FOR FURTHER INFORMATION CONTACT:** Kim Iverson, 843-571-4366, or Dr. Peter Eldridge, NMFS, 727-570-5305.

**SUPPLEMENTARY INFORMATION:** Management measures for rock shrimp under the FMP apply in the exclusive economic zone (EEZ) in the South Atlantic. For the purposes of the FMP and its implementing regulations, the South Atlantic consists of the Atlantic Ocean off the southern Atlantic states (i.e., from the Virginia/North Carolina

border through the Florida Keys). The FMP currently establishes the following management measures for rock shrimp: Federal fishing vessel permits necessary to fish for, sell, transfer, or possess rock shrimp in or from the South Atlantic EEZ; Federal dealer permits to receive rock shrimp harvested in the South Atlantic EEZ; requirement for selected dealers to report receipts and prices of rock shrimp harvested from the South Atlantic EEZ; and a prohibition on fishing for or possessing rock shrimp in or from the Oculina Bank habitat area of particular concern.

The Council is preparing draft Amendment 5 to the FMP. Amendment 5 will address the following issues: (1) The implementation of a limited entry program for the rock shrimp fishery to remove speculative interests from the fishery and ensure the economic viability of the rock shrimp industry; (2) the establishment of mesh size restrictions to reduce the harvest of small rock shrimp; (3) the requirement for vessel operator permits and vessel monitoring systems to ensure better compliance with the FMP's management measures and implementing regulations; and (4) the specification of geographic areas within which these aforementioned management measures would apply.

The Council is preparing a DSEIS as an integrated part of Amendment 5. The DSEIS will describe the amendment's proposed management measures and their reasonable alternatives and will assess the environmental impacts of these proposed and alternative measures. The Council is requesting written comments on the scope of the issues to be addressed in the DSEIS.

Based on input to be received during 7 public hearings that the Council is conducting from May 3, 2001, through June 19, 2001 (see notice of these hearings at 66 FR 22144) on a preliminary draft of Amendment 5 and associated DSEIS, the Council intends to revise draft Amendment 5, as appropriate, and to finalize the DSEIS. The Council intends that the current public hearings on its preliminary draft Amendment 5 and DSEIS supplement, for scoping purposes, the three scoping meetings it held in 1994 to invite initial public input on the scope of the issues to be addressed by Amendment 5 and the types of environmental impacts associated with alternative management measures, including those proposed measures listed here. With the exception of the requirement for operator permits, which was disapproved by NMFS as contained in a previous FMP amendment, these management measures have not been

included in a previous FMP amendment.

Once the Council completes the DSEIS, it will submit it to NMFS for filing with the Environmental Protection Agency (EPA). EPA will publish in the **Federal Register** a notice of availability of the DSEIS for public comment. This procedure is pursuant to the Council on Environmental Quality's regulations for implementing the procedural provisions of the National Environmental Policy Act (NEPA) (40 CFR parts 1500-1508) and to NOAA's Administrative Order 216-6 regarding NOAA's compliance with NEPA and the CEQ regulations.

The Council intends to consider public comments received on the DSEIS before adopting final management measures for a final Amendment 5. The Council intends to prepare a final supplemental environmental impact statement (FSEIS) in support of its final Amendment 5. The Council would then submit the final Amendment 5 and supporting FSEIS to NMFS for Secretarial review, approval, and implementation under the Magnuson-Stevens Fishery Conservation and Management Act. NMFS will announce availability of Amendment 5 for public review during the Secretarial review period though notice published in the **Federal Register**. During Secretarial review, NMFS will also file the FSEIS with EPA for a final public comment period on the FSEIS. This comment period will be concurrent with the Secretarial review period and will end prior to final agency action to approve, disapprove, or partially approve Amendment 5. All public comment periods on Amendment 5, its proposed implementing regulations, and on its associated FSEIS will be announced through notice published in the **Federal Register**. NMFS will consider all public comments received during the Secretarial review period for Amendment 5 (60-day period), whether they are on the amendment, the FSEIS, or the proposed regulations, prior to final agency action.

Copies of the preliminary draft Amendment 5/DSEIS may be obtained by contacting the Council (see **ADDRESSES**).

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

Dated: May 17, 2001.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 01-13072 Filed 5-18-01; 3:57 pm]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 697

[Docket No. 0104-13093-1093-01; I.D. 032301C]

RIN 0648-AP18

### Atlantic Coastal Fisheries Cooperative Management Act Provisions; American Lobster Fishery

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

**ACTION:** Advance Notice of Proposed Rulemaking (ANPR)

**SUMMARY:** NMFS announces that it is considering, and seeking public comment on, revisions to Federal American lobster regulations for the Exclusive Economic Zone (EEZ) in response to recommendations from the Atlantic States Marine Fisheries Commission (ASMFC) to NMFS in Addendum II to Amendment 3 of the Interstate Fishery Management Plan for American Lobster (ISFMP). Addendum II, approved by the ASMFC on February 1, 2001, revises the Amendment 3-egg production schedule in each of seven lobster conservation management areas (LCMAs) to end overfishing of American lobster stocks by the end of 2008. The management measures defined in Addendum II to meet the egg production targets include a series of minimum gauge size increases (increases in the minimum allowable harvest size of American lobster) in five of the seven LCMAs, trap gear modifications, and a 4-year trap reduction schedule for LCMA 3.

**DATES:** Written comments must be received at the appropriate address or facsimile (fax) number (see **ADDRESSES**) no later than 5 p.m. Eastern Standard Time on or before June 25, 2001.

**ADDRESSES:** Written comments must be sent to: Harold C. Mears, Director, State, Federal, and Constituent Programs Office, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930. Comments may also be sent via fax to (978) 281-9117. Comments submitted via e-mail or Internet will not be accepted.

**FOR FURTHER INFORMATION CONTACT:** Peter Burns, Fishery Management Specialist, (978) 281-9144, fax (978) 281-9117.

**SUPPLEMENTARY INFORMATION:** The fishery for American lobster takes place

from North Carolina to Maine. More than 50 percent of American lobsters harvested are landed in Maine, with the balance landed mostly in or from Massachusetts, Rhode Island, Long Island Sound and Georges Bank. Over 80 percent of the lobster harvest occurs in state waters, which extend from the coast to 3 nautical miles (5.56 km) from shore. The lobster fishery occurs year-round in the United States, including the summer and fall months when the lobsters are molting. Approximately 97 percent of lobsters are taken in lobster traps. The rest are taken in trawls, gillnets, and dredges and by divers.

Prior to December 1999, the American lobster resource was managed in state waters by the ASMFC under the auspices of the Atlantic Coastal Fisheries Cooperative Management Act (ACFCMA), and in Federal waters by NMFS under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Acknowledging that approximately 80 percent of the American lobster harvest occurs in state waters, and in an effort to establish a more effective lobster management regime by enhancing interjurisdictional cooperation, NMFS issued a final rule in December 6, 1999 (64 FR 68228) for the American lobster fishery. That final rule removed management measures issued under authority of the Magnuson-Stevens Act and replaced them with the same and a variety of new management measures issued under the authority of ACFCMA. ACFCMA provides NMFS with the authority to implement regulations in Federal waters that are compatible with effective implementation of the ISFMP and consistent with the national standards of the Magnuson-Stevens Act. Such Federal regulations are promulgated pursuant to ACFCMA at 50 CFR part 697.

Amendment 3 of the ISFMP was approved by the ASMFC in December 1997 to achieve a healthy American lobster resource and develop a management regime that provides for sustained harvest, maintains opportunities for participation, and provides for the cooperative development of conservation measures by all stakeholders. Following the May 2000 release of an updated peer-reviewed lobster stock assessment (ASMFC Stock Assessment Peer Review Report No. 00-01), which revised lobster egg production estimates and confirmed that overfishing of lobster stocks is occurring throughout the species range, the ASMFC developed Addendum II to Amendment 3 for implementing additional measures