

Procedural Matters

3. Parties submitting oppositions or replies should address the issues raised in the petitions for reconsideration in light of the relevant statutory requirements, procedures, and public interest considerations. All responsive filings should reference the docket numbers of this proceeding, *i.e.*, WT Docket No. 99-168, CS Docket No. 98-120, and MM Docket No. 00-39.

4. This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must reflect the substance of the presentations and not merely list the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in § 1.1206(b) of the Commission's rules.

5. Parties may obtain copies of the *Third Report and Order* and petitions for reconsideration at the FCC website, <http://www.fcc.gov/e-file/ecfs.html>. The petitions are also available for public inspection and copying in the Reference Center, Room CY-A257, 445 12th Street, SW., Washington, DC 20554. Copies of the petitions are also available from ITS, Room CY-B400, 445 12th Street, SW., Washington, DC 20554, or by calling (202) 857-3800.

6. Oppositions to petitions for reconsideration and replies may be filed using the Commission's Electronic Comment Filing System ("ECFS") or by filing paper copies. Oppositions and replies filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Each filing should be submitted into each of the following dockets: 99-168, 98-120, and 00-39. In completing the transmittal screen, parties should include their full name and Postal Service mailing address. Parties may also submit an electronic filing by Internet e-mail. To get filing instructions for e-mail filings, parties should send an e-mail message to ecfs@fcc.gov, including "get form to <your e-mail address>" in the body of the message. A sample form and directions will be sent in response.

7. Listed are the parties filing Petitions for Reconsideration and Clarification in WT Docket No. 99-168, CS Docket No. 98-120, and MM Docket No. 00-39:

(i) Association for Maximum Service Television, Inc. (March 16, 2000)

(ii) Spectrum Clearing Alliance (March 16, 2000) (joint filing of broadcasters and other entities interested in band clearing policies)

(iii) Spectrum Exchange Group, LLC (March 16, 2000)

Federal Communications Commission.

Margaret Wiener,

Chief, Auctions and Industry Analysis Division, WTB.

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 660**

[Docket No. 000501119-0119-01; I.D. 031501B]

Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Adjustments From Cape Falcon, OR to Humbug Mountain, OR

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

ACTION: Inseason adjustments; request for comments.

SUMMARY: NMFS announces that the commercial and recreational fisheries for all salmon except coho, in the areas from Cape Falcon, OR to Humbug Mountain, OR will open April 1, 2001, and continue through dates to be determined in the 2001 management measures for 2001 ocean salmon fisheries in the U.S. exclusive economic zone (EEZ). This action is necessary to conform to the 2000 announcement of management measures for year 2001 salmon seasons opening earlier than May 1, 2001, and is intended to ensure access to the year 2001 chinook salmon optimum yield.

DATES: Effective April 1, 2001, until the effective date of the year 2001 management measures, which will be published in the **Federal Register** for the West Coast salmon fisheries. Comments will be accepted through April 18, 2001.

ADDRESSES: Comments on this action must be mailed to Donna Darm, Acting Regional Administrator, Northwest Region, NMFS, NOAA, 7600 Sand Point Way N.E., Bldg. 1, Seattle, WA 98115-0070; fax 206-526-6376; or Rebecca Lent, Regional Administrator, Southwest Region, NMFS, NOAA, 501 W. Ocean Blvd., Suite 4200, Long

Beach, CA 90802-4132; fax 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: William Robinson, 206-526-6140, or Svein Fougner, 562-980-4030.

SUPPLEMENTARY INFORMATION: In the 2000 annual management measures for ocean salmon fisheries (65 FR 26138, May 5, 2000), NMFS announced that the Pacific Fishery Management Council (Council) would consider at its March 2001 meeting a recommendation to open commercial and recreational seasons for all salmon except coho in areas of the EEZ off Oregon. Due to the timing of the March and April Council meetings, where the major 2001 salmon seasons are developed, this action is necessary to implement the opening of these seasons prior to May 1, 2001.

At the March 2001 meeting, the Council made its inseason recommendations to open the recreational and commercial fisheries, for all salmon except coho, from Cape Falcon, OR to Humbug Mountain, OR on April 1, 2001. The closing dates for both fisheries will be recommended during the April 2001 meeting when the entire 2000 management measures for the 2001 ocean salmon fisheries are adopted by the Council.

The recreational fishery for all salmon except coho, from Cape Falcon, OR to Humbug Mountain, OR opens on April 1, 2001. The daily possession limit is two fish per day, with no more than six fish retained in 7 consecutive days. The minimum size limit is 20 inches (50.8 cm). Allowed gear is artificial lures and plugs of any size, or bait no less than 6 inches (15.2 cm) long (excluding hooks and swivels). All gear must have no more than two single-point, single-shank, barbless hooks. Divers are prohibited and flashers may only be used with downriggers. Oregon State regulations describe a closure at the mouth of Tillamook Bay.

The commercial fishery for all salmon except coho, from Cape Falcon, OR to Humbug Mountain, OR opens on April 1, 2001. Single point, single shank barbless hooks are required. No more than four spreads are allowed per line. The minimum size limit is 26 inches (66.0 cm) (19.5 in (49.5 cm) head-off). Chinook not less than 26 inches (66.0 cm) (19.5 inches (49.5 cm) head-off) taken during open seasons south of Cape Falcon may be landed north of Cape Falcon only while the season is

closed north of Cape Falcon. Oregon state regulations describe a closure at the mouth of Tillamook Bay.

The Regional Administrator consulted with representatives of the Council, Washington Department of Fish and Wildlife, Oregon Department of Fish and Wildlife, and the California Department of Fish and Game regarding these adjustments at the March 2001 Council meeting in Portland, OR. As provided by the inseason notification procedures at 50 CFR 660.411, actual notice to fishermen of these actions will

be given prior to 0001 hours local time, April 1, 2001, by telephone hotline number, 206-526-6667 or 800-662-9825, and by U.S. Coast Guard Notice to Mariners broadcasts on Channel 16 VHF-FM and 2182 kHz.

Because of the need for immediate action to open the seasons as proposed, NMFS has determined that good cause exists for this document to be issued without affording a prior opportunity for public comment. This document does not apply to other fisheries that may be operating in other areas.

Classification

This action is authorized by 50 CFR 660.409 and 660.411 and is exempt from review under Executive Order 12866.

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

Dated: March 27, 2001.

Bruce C. Morehead,

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

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