

mammals that die or are seriously injured may wash ashore, nor will all of those that do wash ashore necessarily show clear signs of the cause of death. Finally, the level of technical expertise among stranding network personnel varies widely as does the ability to recognize signs that indicate the cause of death.

Other potentially human-induced factors that may be affecting this harbor porpoise population include high levels of contaminants in their tissues. Concentrations of organochlorine contaminants from 110 GOM/BOF harbor porpoises were recently measured (Westgate, 1995). Polychlorinated biphenyl (PCB) levels, the most prominent contaminant, and dichloro-diphenyl trichloroethane (DDT) levels were both higher in the Gulf of Maine/Bay of Fundy harbor porpoises than in the Gulf of St. Lawrence and Newfoundland harbor porpoises, although they are now much lower than that found in animals 10 years ago, as reported in Gaskin et al. (1983). Trace metal contaminants were also measured, and it was found that mean concentrations of copper, zinc, and mercury were similar to values previously reported for harbor porpoises in other regions of the world (Johnston, 1995). No obvious pathology has been noted in more than 300 necropsies of harbor porpoises incidentally captured in gillnets in the Bay of Fundy (A.J. Read, unpublished data). Although it is not known whether these contaminants have other effects, the presence of these contaminants in harbor porpoise tissues does not appear to pose a serious threat to this population.

Critical Habitat

NMFS has not completed the analysis necessary for the designation of critical habitat. A decision regarding critical habitat will be made in a separate rulemaking, as warranted, in accordance with the final listing determination.

Public Comments Solicited

Due to the availability of new/additional information, the passage of time since the close of the previous comment period, and the desire to review the best scientific information available during the decision-making process, the public comment period for the proposed ESA listing of GOM/BOF harbor porpoise as a threatened species is being reopened. All comments will be considered in NMFS' final determination (see DATES).

Authority: 16 U.S.C. 1531 *et seq.*

Dated: October 15, 1998.

Rolland A. Schmitt, Jr.

*Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[I.D. 100698A]

RIN 0648-AL40

Fisheries of the Exclusive Economic Zone off Alaska; Description and Identification of Essential Fish Habitat

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

ACTION: Notice of availability; request for comments.

SUMMARY: The North Pacific Fishery Management Council (Council) has submitted Amendment 55 to the Fishery Management Plan (FMP) for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area;

Amendment 55 to the FMP for Groundfish of the Gulf of Alaska; Amendment 8 to the FMP for Bering Sea/Aleutian Islands King and Tanner Crabs; Amendment 5 to the FMP for Scallop Fisheries off Alaska; and Amendment 5 to the FMP for the Salmon Fisheries in the EEZ off the Coast of Alaska. These amendments would describe and identify essential fish habitat in Alaska, and risks to that habitat, for groundfish, scallops, salmon, and king and Tanner crabs. This action is intended to strengthen the ability of the Council to protect and conserve habitat used by these species at crucial stages of their life cycles.

DATES: Comments on Amendments 55/55/8/5/5 must be submitted by December 21, 1998.

ADDRESSES: Comments on the FMP amendments should be submitted to Sue Salvesson, Assistant Regional Administrator for Sustainable Fisheries, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori Gravel, or delivered to the Federal Building, 709 West 9th Street, Juneau, AK. Copies of Amendments 55/55/8/5/5 and the Environmental Assessment prepared for the amendments are available from the Council, 605 West 4th Ave., Suite 306, Anchorage, AK 99501-2252; telephone 907-271-2809. The following reports,

which are referenced in the amendments, are also available from the Council:

1. Essential Fish Habitat Report for the Groundfish Resources of the Bering Sea and Aleutian Islands, April 1, 1998.
2. Essential Fish Habitat Report for the Groundfish Resources of the Gulf of Alaska Region, April 1, 1998.
3. Essential Fish Habitat Report for the Bering Sea and Aleutian Islands King and Tanner Crabs, March 31, 1998.
4. Essential Fish Habitat Report for the Salmon Fisheries in the Exclusive Economic Zone off the Coast of Alaska, March 31, 1998.
5. Essential Fish Habitat Report for the Scallop Fisheries off the Coast of Alaska, March 31, 1998.

FOR FURTHER INFORMATION CONTACT:

Cindy Hartmann, 907-586-7312
cindy.hartmann@noaa.gov; or Nina Mollett, 907-586-7492,
nina.mollett@noaa.gov.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires that each Regional Fishery Management Council submit any FMP or FMP amendment it prepares to NMFS for review and approval, disapproval, or partial approval. The Magnuson-Stevens Act also requires that NMFS, upon receiving an FMP, immediately publish a notice in the **Federal Register** that the FMP or amendment is available for public review and comment. Therefore, NMFS solicits comments on the approval, disapproval, or partial approval of these amendments.

The Magnuson-Stevens Act emphasizes the need for increased attention to habitat considerations in conserving and managing the Nation's fisheries. Regional Fishery Management Councils are directed to amend their FMPs with information on EFH, which is defined as "those waters and substrate necessary to fish for spawning, breeding, feeding or growth to maturity." Councils must also identify potential adverse impacts on essential fish habitat (EFH) and make suggestions for minimizing those impacts and for conserving and enhancing EFH.

Background

The NMFS Alaska Region established a Core Team composed of NMFS employees and one person from the Council, which in turn established four Technical Teams (one each for salmon, crab, scallop and groundfish), comprised of Federal and state biologists. These teams developed habitat assessment reports for each FMP, that were distributed for public

comment in December 1997, and made available in updated versions on March 31, 1998.

In accordance with NMFS EFH guidelines at 50 CFR 600.815, NMFS submitted draft EFH recommendations to the Council on April 3, 1998. The public reviewed these recommendations during a special evening meeting. The full Council and its advisory bodies also reviewed them. NMFS accepted written comments through April 27, 1998, and submitted final EFH recommendations to the Council in May 1998 for the Council's consideration at its June 1998 meeting. After reviewing the NMFS recommendations, the Council adopted Amendments 55/55/8/5/5.

The proposed amendments identify and describe EFH for each species or species group managed under the five FMPs. The proposed amendments classify each species at each life stage according to how much data are available and summarize all available information with texts and tables. The

proposed amendments also describe adverse impacts to the habitat from fishing and non-fishing activities, and make suggestions for conservation and enhancement of the habitat, and identify research needs and habitat areas of particular concern.

Definition of EFH

Habitat descriptions and life history information were reviewed and the levels of information available for each life history stage were determined. The approach set forth in regulations at 50 CFR 600.815(a)(2) for gathering and organizing the data necessary to identify EFH was applied.

Under the proposed amendments, EFH would represent all habitat within a general distribution for a species life stage, for all information levels and under all stock conditions. For any species listed under the Endangered Species Act, EFH would include all areas identified as critical habitat.

If approved, these amendments would enable NMFS and the Council to more

actively protect habitat important to fish at different stages of their life cycles. Coordination among NMFS, the Council, and other Federal and state agencies engaging in activities that may adversely affect EFH would be improved. The Council and NMFS would be in a better position to make suggestions on how to mitigate potential habitat damage.

NMFS will consider all public comments received during the comment period in determining whether to approve Amendments 55/55/8/5/5. To be considered, comments must be received before close of business on the last day of the comment period specified in this NOA; that does not mean postmarked or otherwise transmitted by that date.

Dated: October 15, 1998.

Gary C. Matlock,

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

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