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Dated: July 13, 2000.

Stephen C. Saunders,Deputy Assistant Secretary for Fish and
Wildlife and Parks.

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric
Administration****50 CFR Part 635**

[I.D. 070500C]

**Atlantic Highly Migratory Species
(HMS) Fisheries; Bycatch Reduction****AGENCY:** National Marine Fisheries
Service (NMFS), National Oceanic and
Atmospheric Administration (NOAA),
Commerce.**ACTION:** Notice of intent to prepare a
Supplemental Environmental Impact
Statement (SEIS); notice of availability
of Biological Opinion; announcement of
scoping meetings.**SUMMARY:** NMFS announces its intent to
prepare an SEIS to address requirements
of the Biological Opinion dated June 30,
2000, that was issued pursuant to a
formal consultation under section 7 of
the Endangered Species Act (ESA); and,
relative to fishing activities for Atlantic
HMS, to assess the impacts of potential
management options on the natural and
human environment. The purpose of
this notice is to inform the interested
public of the intent to prepare the SEIS;
announce the availability of, and
provide information on, the Biological
Opinion; announce that NMFS is
considering regulatory and non-
regulatory measures to address the
requirements of the Biological Opinion
for the Atlantic HMS fisheries for the
current fishing year and for the long-
term; and announce public scoping
meetings on issues and management
options that NMFS should consider in
addressing the requirements of the
Biological Opinion and in preparing the
SEIS.**DATES:** Public scoping meetings will
take place in July and August, 2000. See
SUPPLEMENTARY INFORMATION for dates
and times of the scoping meetings.
Additional scoping meetings may be
scheduled at a later date and will be
announced in the **Federal Register**.**ADDRESSES:** Comments on the proposal
to prepare the SEIS and suggestions for
the times and locations of additional
scoping meetings should be sent to:
Rebecca Lent, Chief, Highly MigratorySpecies Management Division (F/SF1),
Office of Sustainable Fisheries, NMFS,
1315 East-West Highway, Silver Spring,
MD 20910. See **SUPPLEMENTARY
INFORMATION** for the locations of the
scoping meetings.**FOR FURTHER INFORMATION CONTACT:**Margo Schulze-Haugen or Karyl
Brewster-Geisz, 301-713-2347; fax 301-
713-1917.**SUPPLEMENTARY INFORMATION:****Background**The Atlantic HMS fisheries are
managed under the Fishery
Management Plan for Atlantic Tunas,
Swordfish, and Sharks (HMS FMP),
Amendment 1 to the Atlantic Billfish
Fishery Management Plan, and their
implementing regulations found at 50
CFR part 635. The Atlantic shark
regulations are issued under authority of
the Magnuson-Stevens Fishery
Conservation and Management Act
(Magnuson Stevens Act)(16 U.S.C. 1801
et seq.). The Atlantic tunas, swordfish,
and billfish fisheries are managed under
the authority of the Magnuson-Stevens
Act (16 U.S.C. 1801 *et seq.*) and the
Atlantic Tunas Convention Act (ATCA)
(16 U.S.C. 971 *et seq.*).**Biological Opinion Requirements**In 1999, the Atlantic pelagic longline
fishery exceeded its authorized take of
loggerhead sea turtles as set out in the
Incidental Take Statement previously
issued with the April 23, 1999,
Biological Opinion. As required under
the ESA, NMFS requested, on November
19, 1999, a re-initiation of consultation
under Section 7 of the ESA. On June 30,
2000, NMFS issued a new Biological
Opinion that concluded the operation of
the Atlantic pelagic longline fishery is
likely to jeopardize the continued
existence of the leatherback and
loggerhead sea turtles.In order to eliminate the threat of
jeopardy, NMFS must address the level
of sea turtle takes in the pelagic longline
fishery. The Biological Opinion
provides a framework for development
of reasonable and prudent alternatives
(RPAs) designed to remove the threat of
jeopardy by reducing the number of
loggerhead and leatherback sea turtles
that are incidentally captured, injured,
and killed by pelagic longline gear. The
Biological Opinion provides two RPAs
that, if implemented, would avoid the
jeopardy finding. However, any
combination of management measures,
regulatory and/or non-regulatory, that
have the effect of reducing the number
of loggerhead and leatherback turtles
that are incidentally captured, injured,
and killed by pelagic longline gear by 75percent will meet the requirements of
the Biological Opinion. These
combinations could include monitoring
requirements, gear and/or fishing
method modifications, and time/area
closures. During the scoping period,
NMFS plans to meet with fishery
participants, particularly pelagic
longline vessel operators who fish the
northeast distant water statistical area
(Grand Banks), to determine which
combination of measures will reduce
turtle takes to the required level while
mitigating impacts to the industry.The Biological Opinion also identified
required reasonable and prudent
measures (RPMs) and terms of
conditions (T&Cs) for all HMS fisheries
as part of the revised Incidental Take
Statement. For example, education and
outreach, monitoring requirements, and
sea turtle resuscitation requirements
were identified for several HMS
fisheries. NMFS will work with fishery
constituents to implement these
required provisions of the Incidental
Take Statement.**Management Measures Under
Consideration**Because of the findings of the
Biological Opinion, participants in the
HMS fisheries may be required to
operate under alternative management
measures that may redistribute fishing
effort and alter current fishing methods
in order to avoid jeopardizing protected
species. NMFS will consider regulatory
and non-regulatory measures for
managing the Atlantic tunas, swordfish,
sharks, and billfish fisheries consistent
with the requirements of the ESA. These
measures will address the RPAs, RPMs,
and T&Cs identified in the June 30,
2000, Biological Opinion, and may
implement time/area closures, gear
restrictions, crew training, monitoring
and reporting requirements.**Scoping Meetings**Scoping for the SEIS will be held in
consultation with the HMS and Billfish
Advisory Panels. Public scoping
meetings will be scheduled at times and
locations convenient for affected parties.
The following scoping meetings have
been scheduled:*Monday, July 31, 2000—Silver Spring,
MD, 1-3:30 p.m.*NMFS, SSMC2, 1325 East-West
Highway, Room 2358, Silver Spring, MD
20910.*Tuesday, August 1, 2000—Barnegat
Light, NJ, 7-9:30 p.m.*Barnegat Light Firehouse, Barnegat,
NJ 08006.

Wednesday, August 2, 2000—Fairhaven, MA, 7–9:30 p.m.

The Seaport Inn (Holiday Inn), 110 Middle Street, Fairhaven, MA 02719.

Thursday, August 3, 2000—Islandia, NY, 7–9:30 p.m.

Islandia Marriott, 3635 Express Drive North, Islandia, NY 11749

Friday, August 4, 2000—Gloucester, MA, 1–3:30 p.m.

NMFS Northeast Regional Office, One Blackburn Drive, Gloucester, MA 01930.

Interested parties should contact Rebecca Lent (see **ADDRESSES**) regarding suggested times and locations for additional scoping meetings.

Special Accommodations

These meetings will be physically accessible to people with disabilities.

Requests for sign language interpretation or other auxiliary aids should be directed to Margo Schulze-Haugen at (301) 713–2347 at least 5 days prior to the hearing date.

Timing of the Analysis and Tentative Schedule

Input on the issues to be addressed in preparing the SEIS and potential options for reducing take of protected species in the Atlantic HMS fisheries will be accepted and discussed at the scoping meetings. Given the jeopardy opinion, NMFS must take prompt action to reduce interactions with loggerhead and leatherback sea turtles. Therefore, NMFS is considering issuing regulations under the emergency provisions of the Magnuson-Stevens Act on an interim basis. In particular, immediate action

may be required for the pelagic longline fishery operating on the Grand Banks, an area of high turtle takes during the summer and early fall. These emergency regulations would serve to implement provisional take reduction measures until a more comprehensive approach can be developed under the framework procedures of the HMS FMP, in conjunction with the SEIS. NMFS requests input from vessel captains on both the short term and long term solutions for reducing turtle interactions.

Dated: July 13, 2000.

Bruce C. Morehead,

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