

Scheme for *Dissostichus* species should ensure that their flag vessels authorized to fish for or transship *Dissostichus* species on the high seas maintain an operational vessel monitoring system throughout the whole calendar year.

**Authority:** 16 U.S.C. 2431 *et seq.*

Dated: April 12, 2001.

**Clarence Pautzke,**

*Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.*

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**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 040901B]

#### Fisheries off West Coast States and in the Western Pacific; Western Pacific Pelagic Fisheries; Notice of Court Order Requiring Actions to Reduce the Incidental Catch of Sea Turtles in the Hawaii Pelagic Longline Fishery

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

**ACTION:** Notice of Requirements of the Order Modifying Injunction (Order) of the United States District Court for the District of Hawaii issued on March 30, 2001.

**SUMMARY:** This document announces the terms of the March 30, 2001, Order of the United States District Court for the District of Hawaii. This Order modifies the Court's previous Order of August 4, 2000. The Order restricts the Hawaii-based longline fishery (Hawaii longline fishery) based on the preferred alternative of the Final Environmental Impact Statement (FEIS) governing the Hawaii longline fishery conducted under the Fishery Management Plan for Pelagic Fisheries of the Western Pacific Region (FMP). The new Hawaii longline fishery management measures are intended to protect and conserve sea turtles.

**FOR FURTHER INFORMATION CONTACT:** Alvin Katekaru, Fishery Management Specialist, Pacific Islands Area Office (PIAO), 808-973-2937.

**SUPPLEMENTARY INFORMATION:** Background information on actions taken to implement earlier orders of the United States District Court for the District of Hawaii in *Center for Marine Conservation v. NMFS* was published in the **Federal Register** on December 27, 1999 (64 FR 72290), on March 28, 2000

(65 FR 16346), on June 19, 2000 (65 FR 37917), on August 25, 2000 (65 FR 51992), on November 3, 2000 (65 FR 66186), on February 22, 2001 (66 FR 11120) and on March 19, 2001 (66 FR 15358) and is not repeated here. The other regulations in 50 CFR parts 600 and 660 applicable to this fleet continue to apply. In the near future, NMFS anticipates publishing emergency interim regulations implementing the requirements of the Hawaii District Court's Order of March 30, 2001. This document is published to provide the public with notification of the requirements of the recent Court Order.

On March 30, 2001, Judge David A. Ezra, U.S. District Court for the District of Hawaii (Court), issued an Order in *Center for Marine Conservation v. NMFS*, in response to NMFS filing an FEIS for the Pelagic Fisheries of the Western Pacific Region by a deadline set in the Court's August 4, 2000, Order. The Court ordered that the following restrictions be imposed on Hawaii longline fishermen:

1. No vessel registered for use with a Hawaii longline limited access permit ("Hawaii longline vessel") may use longline fishing gear to target swordfish north of the equator. Longline gear must always be deployed such that the deepest point of the main longline between any two floats, i.e., the deepest point in each sag of the main line, is at a depth greater than 100 m (328.1 ft or 54.6 fm) below the sea surface.

2. No Hawaii longline vessel may fish with longline gear from April 1, 2001, through May 31, 2001, in the area bounded on the south by the equator, on the west by 180° W. long., on the east by 145° W. long., and on the north by 15° N. lat.

3. A Hawaii longline vessel that is de-registered from a Hawaii longline limited access permit after March 29, 2001, may not be registered again with a Hawaii longline limited access permit, except during the month of October.

4. If a sea turtle is discovered hooked or entangled on a longline during gear retrieval, retrieval shall cease until the turtle has been removed from the gear or brought onto the vessel's deck.

5. Hooks must be removed from the sea turtles as quickly and carefully as possible. If a hook cannot be removed, the line must be cut as close to the hook as possible.

6. Wire or bolt cutters capable of cutting through a longline hook must be on board each vessel to facilitate cutting of hooks imbedded in sea turtles.

7. The vessel operator shall bring comatose sea turtles on board the vessel and perform resuscitation as prescribed in 50 CFR 223.206(d)(1).

The Order shall remain in effect until further order of the Court.

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

Dated: April 13, 2001.

**Bruce C. Morehead,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 041201A]

#### Pacific Fishery Management Council; Public Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Pacific Fishery Management Council's (Council) Coastal Pelagic Species Management Team (CPSMT) and Coastal Pelagic Species Advisory Subpanel (CPSAS) will hold a public meeting.

**DATES:** The meeting is scheduled for Friday, May 11, 2001, starting at 10 a.m. and continuing until business for the day is completed.

**ADDRESSES:** The meeting will be held in the large conference room at the offices of National Marine Fisheries Service, Southwest Region, 501 W Ocean Blvd., Suite 4200, Long Beach, CA 90802.

*Council address:* Pacific Fishery Management Council, 2130 SW., Fifth Avenue, Suite 224, Portland, OR 97201.

**FOR FURTHER INFORMATION CONTACT:** Mr. Dan Waldeck, Pacific Fishery Management Council, (503) 326-6352.

**SUPPLEMENTARY INFORMATION:** The purpose of the meeting is to review the Pacific mackerel stock assessment and harvest guideline for the 2001-2002 fishery; and coastal pelagic species stock assessment and fishery evaluation document.

Although non-emergency issues not contained in the meeting agenda may come before the CPSMT and/or the CPSAS for discussion, those issues may not be the subject of formal CPSMT or CPSAS action during this meetings. CPSMT and/or CPSAS action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management

Act, provided the public has been notified of the CPSMT's and/or CPSAS's intent to take final action to address the emergency.

### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Ms. Carolyn Porter at (503) 326-6352 at least five days prior to the meeting date.

Dated: April 13, 2001.

**Bruce C. Morehead,**

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

[FR Doc. 01-9735 Filed 4-18-01; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Corps of Engineers, Department of the Army

#### Draft Environmental Impact Statement for the Preparation of a Special Area Management Plan and associated 404 Permit Actions for the San Juan Creek and western San Mateo Creek Watersheds, Orange County, CA

**AGENCY:** Department of Defense, Department of the Army, Corps of Engineers, Los Angeles District Regulatory Branch.

**ACTION:** Notice of Intent to Prepare a Draft Environmental Impact Statement (DEIS).

**SUMMARY:** The Corps of Engineers will prepare an EIS on a Special Area Management Plan (SAMP) and associated 404 permit actions in connection with future development, infrastructure maintenance and aquatic resource restoration in the San Juan Creek and western San Mateo Creek watersheds in southern Orange County, California (SAMP study area). The EIS will address impacts of various land development and aquatic resource protection alternatives as set forth below and further identified during the preparation of the SAMP. The SAMP will provide a comprehensive plan for protecting and enhancing aquatic resources while providing for permitting reasonable economic development and public infrastructure in accordance with local land use plans. The SAMP will provide a framework for a long-term programmatic permitting process for projects in the watersheds subject to the Corps of Engineers' permit authority under section 404 of the Clean Water Act regulating the discharge of fill or dredged materials into "waters of the

United States." In addition, the SAMP will include a comprehensive reserve program for the protection, restoration, and management of aquatic resources within the study area.

Information in the EIS will be used to complete the SAMP, and to decide to issue or deny a long-term programmatic 404 permit for specific projects, and criteria for permitting future projects that have not yet been identified. The Corps of Engineers will prepare a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) with the California Department of Fish and Game, which must issue other approvals for development in the watersheds that affects watercourses under sections 1601 and 1603 of the State Fish and Game Code.

**Public Scoping:** The Corps of Engineers invites the participation of affected state, federal, and local agencies and other interested persons in identifying issues of concern that should be addressed in the EIS pursuant to the National Environmental Policy Act (NEPA) and section 404 of the Clean Water Act. Written comments on the scope of the EIS must be submitted to the address below by May 18, 2001. A public scoping meeting to receive input on the scope of the EIS will be conducted on May 8th, 2001 at 6 p.m. at the San Juan Community Center located at 25925 Camino del Avion. This will be a joint scoping meeting to address both the EIS for the SAMP and the EIR for the State Master 1600 Streambed Alteration Agreement.

**FOR FURTHER INFORMATION CONTACT:** Ms. Fari Tabatabai, Regulatory Branch, CESPL-CO-RS, U.S. Army Corps of Engineers, Los Angeles District, 911 Wilshire Boulevard, Los Angeles, California 90017.

#### SUPPLEMENTARY INFORMATION:

##### 1.0 Proposed Action

The SAMP study area, San Juan Creek and western San Mateo Creek watershed, is located in southern Orange County. The San Juan Creek watershed encompasses about 176 square miles. There are numerous aquatic resources in the watershed, including creeks, seeps, vernal pools, alkali meadows, freshwater marshes, and riparian wetlands. Western San Mateo Creek watershed is located adjacent to the San Juan Creek watershed and encompasses about 19 square miles. It contains similar environmental conditions. Portions of the study area are developed (i.e. cities of San Juan Capistrano, Mission Viejo, Rancho Santa Margarita, communities of Coto de Caza, Dove Canyon, Trabuco

Canyon, Robinson Ranch), while other significant portions of the study area are preserved in open space (Cleveland National Forest, O'Neill Regional Park, Caspers Regional Park). Rancho Mission Viejo is the largest landholding in the SAMP study area and owns the majority of lands in the study area that are not already developed or dedicated as open space.

The SAMP will describe an approach and set of actions to preserve, enhance, and restore aquatic resources, while allowing reasonable and responsible economic activities and development within the study area. The concept of a SAMP was developed by the Corps of Engineers to assist in long-term planning for regulatory actions under Section 404 that involve large areas, complex projects, and valuable aquatic resources.

Key objectives of the SAMP for the San Juan and western San Mateo creeks watersheds include: (1) evaluate the extent and condition of existing aquatic resources; (2) develop a comprehensive management plan and reserve program to preserve and enhance existing aquatic resources including long-term protection of land; and (3) identify and evaluate alternative land development scenarios in the context of the aquatic resource reserve program.

Based on the SAMP, the Corps of Engineers will identify potential areas and/or evaluate proposed activities suitable for coverage using a programmatic permitting process under section 404 of the Clean Water Act. These regulated activities would include residential, commercial, industrial, recreational development; public infrastructure such as roads and utilities; and maintenance of public facilities.

The comprehensive aquatic resource reserve program would accommodate mitigation requirements for contemplated development within the watershed, and other conservation efforts taking place in the watershed under the Natural Community Conservation Program (NCCP). The latter is a comprehensive planning process currently being prepared by the U.S. Fish and Wildlife Service and California Department of Fish and Game, in coordination with local agencies and landowners, to address long-term protection of threatened and endangered species in the Southern Subregion of Orange County. It is anticipated that the nature and location of the aquatic reserve program in the SAMP will be developed in coordination with the NCCP planning efforts.