

An informal docket may also be examined during normal business hours at the Office of the Regional Air Traffic Division, Northwest Mountain Region, Federal Aviation Administration, Airspace Branch ANM-520, 1601 Lind Avenue, SW., Renton, WA 98055.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify Docket No. FAA-2003-16070; Airspace Docket No. 03-ANM-05, and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit, with those comments, a self-addressed stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2003-16070; Airspace Docket No. 03-ANM-05." The postcard will be date/time stamped and returned to the commenter.

Availability of NPRM

An electronic copy of this document may be downloaded through the Internet at <http://dms.dot.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at <http://www.faa.gov> or the Superintendent of Document's Web page at <http://www.access.gpo.gov/nara>.

Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration, 1601 Lind Avenue, SW., Renton, WA 98055. Communications must identify both document numbers for this notice. Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking, (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedures.

The Proposal

The FAA proposes to amend Title 14 Code of Federal Regulations, part 71 (14 CFR part 71) by establishing Class E airspace at Hamilton, MT. The establishment of two RNAV GPS SIAPs;

RNAV (GPS)-A and RNAV (GPS)-B SIAPs at Ravalli County Airport makes this proposal necessary. Establishing Class E airspace is necessary to provide adequate controlled airspace for aircraft executing the RNAV (GPS)-A and RNAV (GPS)-B SIAPs at Ravalli County Airport, Hamilton, MT.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9L dated September 16, 2003, and effective September 15, 2004, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in this Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation—(1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9L, Airspace Designations and Reporting Points, dated September 16, 2003, and effective September 15, 2004, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700-feet or more above the surface of the earth

* * * * *

ANM UT E5 Hamilton, MT (New)

Ravalli County Airport, MT
[Lat 46°15'05" N., long. 114°07'31" W.]

That airspace extending upward from 700 feet above the surface of the earth within an 8-mile radius of Ravalli County Airport; that airspace extending upward from 1200 feet above the surface of the earth bounded by a line beginning at lat. 46°42'00" N., long. 114°11'00" W.; to lat. 46°42'00" N., long. 113°52'00" W.; to lat. 46°19'30" N., long. 113°52'00" W.; to lat. 45°51'30" N., long. 114°01'00" W.; to lat. 45°51'30" N., long. 114°11'00" W.; to lat. 46°03'00" N., long. 114°19'00" W.; thence to the beginning; excluding that airspace within Federal Airways.

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Issued in Seattle, Washington, on September 25, 2003.

ViAnne Fowler,

Acting Assistant Manager, Air Traffic Division, Northwest Mountain Region.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[I.D. 102903C]

RIN 0648-AP42

Fisheries Off West Coast States and in the Western Pacific; Highly Migratory Species

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

ACTION: Notice of availability of a fishery management plan; request for comments.

SUMMARY: NMFS announces that the Pacific Fishery Management Council (Council) has submitted the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (FMP) for Secretarial review. The FMP is a response to increasing concern about the effect of fishing on highly migratory species (HMS) and on ocean resources caught incidentally to fishing HMS. Numerous species of tuna, billfish, oceanic sharks and other species range throughout the Pacific Ocean. A significant amount of information exists on some of the commercially important tunas, a moderate amount on other

commercially important tunas, lesser amounts of information on swordfish and other billfishes, and scant information on sharks and other highly migratory fishes. Comprehensive stock assessments are needed for many of these species, which are harvested by numerous coastal and distant-water fishing nations throughout the Pacific.

DATES: Comments on the FMP must be received on or before January 5, 2004.

ADDRESSES: Comments on the FMP should be sent to Rodney R. McClinnis, Acting Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802.

Copies of the FMP, which includes an environmental impact statement/regulatory impact review/initial regulatory flexibility analysis are available from Donald O. McClissac, Executive Director, Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 200, Portland, OR 97220.

FOR FURTHER INFORMATION CONTACT: James Morgan, Sustainable Fisheries Division, NMFS, at 562-980-4036 or Daniel Waldeck, Pacific Fishery Management Council, at 503-326-6352.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires each Regional Fishery Management Council to submit a fishery management plan or plan amendment to NMFS for review and approval, disapproval, or partial approval. The Magnuson-Stevens Act also requires that NMFS, upon receiving a fishery management plan or plan amendment, immediately publish notification in the **Federal Register** that

the fishery management plan or plan amendment is available for public review and comment. NMFS will consider the public comments received during the comment period described above in determining whether to approve, disapprove, or partially approve the FMP. The FMP, if approved, would implement conservation and management measures necessary for management of highly migratory species fisheries off the States of California, Oregon, and Washington. The FMP would provide a foundation for future management actions that might be necessary as the international and U.S. fisheries change. In summary, the FMP would:

1. Include in the management unit striped marlin, swordfish, common thresher shark, pelagic thresher shark, bigeye thresher shark, shortfin mako or bonito shark, blue shark, north Pacific albacore, yellowfin tuna, bigeye tuna, skipjack tuna, northern bluefin tuna, and dorado or dolphinfish, commonly referred to as mahi mahi in Hawaii;

2. Adopt harvest guidelines for common thresher shark and shortfin mako shark to reduce the possibility of localized depletion;

3. Require all commercial fishing vessels to have a permit to fish for HMS with an authorization for specific fishing gear;

4. Require all recreational charter (including commercial passenger carrying fishing vessels or CPFV in California) vessels to have a permit to fish for HMS;

5. Require all commercial and recreational charter vessels to maintain and submit logbooks to NMFS;

6. Incorporate under Magnuson-Stevens Act authority regulations

currently issued under the Endangered Species Act and state authorities to limit fishing by drift gillnet vessels, except for the State of California limited entry program and Federal regulations that limit fishing to protect marine mammals. California would maintain its limited entry program under state regulations, and Federal regulations governing marine mammals would remain in place under Marine Mammal Protection Act authority;

7. Prohibit longline fishing in the Exclusive Economic Zone (EEZ) off the West Coast;

8. Apply to West Coast-based longline fishing vessels, when fishing outside the EEZ and west of 150° W. long., most of the restrictions that are currently applied to longline vessels fishing under the authority of longline limited entry permits issued pursuant to the Fishery Management Plan for the Pelagic Fisheries of the Western Pacific Region; and

9. Allow West Coast-based longline fishing vessels to make shallow sets targeting swordfish when fishing east of 150° W. long.

Public comments on the FMP must be received by January 5, 2004, to be considered by NMFS in the decision to approve, disapprove or partially approve the FMP. NMFS expects to publish and request public comment on the proposed regulations to implement the FMP in the near future.

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

Dated: October 31, 2003.

Bruce C. Morehead,

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

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