

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 600**

[Docket No. 030128024-5027-02; I.D. 121002A]

RIN 0648-AQ63

**Magnuson-Stevens Act Provisions; National Standard Guidelines**

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

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** NMFS extends the public comment period on the proposed rule containing revisions to the National Standard 1 (NS1) guidelines. NMFS has received various requests to extend the comment period for the proposed rule beyond its current 60-day comment period. The extension of the comment period for another 60 days is intended to ensure that NMFS provides adequate time for various stakeholders and members of the public to comment on the proposed revisions to the NS1 guidelines. The comment period is extended from August 22, 2005, to October 21, 2005.

**DATES:** Comments must be received on or before October 21, 2005.

**ADDRESSES:** You may submit comments by any of the following methods:

- E-mail: [nationalstandard1@noaa.gov](mailto:nationalstandard1@noaa.gov).

“Comments on proposed rule for National Standard 1.”

- Mail: Mark R. Millikin, National Marine Fisheries Service, NOAA, Office of Sustainable Fisheries, 1315 East-West Highway, Room 13357, Silver Spring, MD 20910 (Mark the outside of the envelope “Comments on National Standard 1 proposed rule”).

- Federal e-Rulemaking Portal: <http://www.regulations.gov>. Include in the subject line the following:

Copies of the Environmental Assessment/Regulatory Impact Review (EA/RIR) for this proposed rule are available from Mark R. Millikin at the address listed above. The EA/RIR document is also available on the internet at: [http://www.nmfs.noaa.gov/sfa/domes\\_fish/index.htm](http://www.nmfs.noaa.gov/sfa/domes_fish/index.htm).

**FOR FURTHER INFORMATION CONTACT:**

Mark R. Millikin, Senior Fishery Management Specialist, 301-713-2341, e-mail [mark.millikin@noaa.gov](mailto:mark.millikin@noaa.gov).

**SUPPLEMENTARY INFORMATION:** A proposed rule that covers NMFS’

proposed revisions to the NS1 guidelines was published on June 22, 2005 (70 FR 36240), with a comment period ending date of August 22, 2005. After receiving several requests to extend the comment period, NMFS has decided to extend it for another 60 days through October 21, 2005.

This action extends the comment period for a proposed rule that the Office of Management and Budget determined to be significant under Executive Order 12866.

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

Dated: August 5, 2005.

**James W. Balsiger,**

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

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

[Docket No. 050801214-5214-01; I.D. 072105B]

RIN 0648-AQ91

**Fisheries Off West Coast States and in the Western Pacific; Western Pacific Pelagic Fisheries; Sea Turtle Mitigation Measures**

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** This proposed rule would set requirements for attending protected species workshops, for handling, resuscitating, and releasing sea turtles that are hooked or entangled in fishing gear, and for fishing gear configuration. The proposed rule is intended to reduce and mitigate interactions between sea turtles and vessels managed under the Fishery Management Plan for the Pelagic Fisheries of the Western Pacific Region (Pelagics FMP). This action is being taken to comply with the terms and conditions of a 2004 Biological Opinion resulting from a section 7 consultation under the Endangered Species Act (ESA) on interactions between sea turtles and fisheries managed under the Pelagic FMP.

**DATES:** Comments on the proposed rule must be received by September 14, 2005.

**ADDRESSES:** You may submit comments on this proposed rule or its Initial Regulatory Flexibility Analysis (IRFA), identified by 0648-AQ91 by any of the following methods:

- E-mail: [AQ91-Turtles@noaa.gov](mailto:AQ91-Turtles@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: Turtle Measures. Comments sent via e-mail, including all attachments, must not exceed a 10 megabyte file size.

- Federal e-Rulemaking portal: [www.regulations.gov](http://www.regulations.gov). Follow the instructions for submitting comments.

- Mail: William L. Robinson, Administrator, NMFS, Pacific Islands Region (PIR), 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700.

- Fax: 808-973-2941.

Copies of the regulatory amendment document, which includes an Environmental Assessment (EA) and an IRFA, may be obtained from Kitty M. Simonds, Executive Director, Western Pacific Fishery Management Council (WPFMC), 1164 Bishop Street, Suite 1400, Honolulu, HI 96813, or on the internet at [www.wpcouncil.org](http://www.wpcouncil.org).

**FOR FURTHER INFORMATION CONTACT:**

Robert Harman, NMFS PIR, 808-944-2271.

**SUPPLEMENTARY INFORMATION:** NMFS conducted a section 7 consultation under the Endangered Species Act (ESA) on interactions between sea turtles and fisheries managed under the Pelagic FMP. The result of this consultation was a Biological Opinion that was issued on February 23, 2004 (2004 Opinion). The 2004 Opinion concluded that the fisheries managed under the Pelagics FMP were not likely to jeopardize the continued existence of sea turtles or other species listed as threatened or endangered under the ESA. Included in the actions considered under the 2004 Opinion were several measures required by a previous (15 November 2002) Biological Opinion (2002 Opinion) on the Pelagics FMP fisheries. These measures were vacated on 1 April 2004, by a Federal Court order. The requirements for general longline permits were additional to those pre-existing requirements for Hawaii-based longline limited access permit holders. Terms and conditions of the 2004 Opinion required: (a) owners and operators of vessels registered for use under longline general permits to attend protected species workshops annually; (b) owners and operators of vessels registered for use under longline general permits to carry and use dip nets, line clippers, and bolt cutters, and follow sea turtle handling, resuscitation, and release requirements for