

Proposed Rules

Federal Register

Vol. 70, No. 115

Thursday, June 16, 2005

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2005-21470; Directorate Identifier 2003-NM-45-AD]

RIN 2120-AA64

Airworthiness Directives; McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30 and DC-10-30F (KC-10A and KDC-10) Airplanes; Model DC-10-40 and DC-10-40F Airplanes; and Model MD-11 and MD-11F Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30 and DC-10-30F (KC-10A and KDC-10) airplanes; Model DC-10-40 and DC-10-40F airplanes; and Model MD-11 and MD-11F airplanes. This proposed AD would require for certain airplanes, modifying the thrust reverser command wiring of the number 2 engine. For certain other airplanes, this proposed AD would require modifying the thrust reverser system wiring from the flight compartment to engines 1, 2, and 3 thrust reversers. This proposed AD would also require installing thrust reverser locking systems on certain airplanes. This proposed AD is prompted by a determination that the thrust reverser systems on these McDonnell Douglas airplanes do not adequately preclude unwanted deployment of a thrust reverser. We are proposing this AD to prevent an unwanted deployment of a thrust reverser during flight, which could result in reduced controllability of the airplane.

DATES: We must receive comments on this proposed AD by August 15, 2005.

ADDRESSES: Use one of the following addresses to submit comments on this proposed AD.

- DOT Docket Web site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- Government-wide rulemaking Web site: Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- Mail: Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, room PL-401, Washington, DC 20590.
- By fax: (202) 493-2251.

- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Boeing Commercial Airplanes, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Data and Service Management, Dept. C1-L5A (D800-0024).

You can examine the contents of this AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., room PL-401, on the plaza level of the Nassif Building, Washington, DC. This docket number is FAA-2005-21470; the directorate identifier for this docket is 2003-NM-45-AD.

FOR FURTHER INFORMATION CONTACT: Philip C. Kush, Aerospace Engineer, Propulsion Branch, ANM-140L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712-4137; telephone (562) 627-5263; fax (562) 627-5210.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to submit any relevant written data, views, or arguments regarding this proposed AD. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2005-21470; Directorate Identifier 2003-NM-45-AD" in the subject line of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments submitted by the

closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed AD. Using the search function of that Web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You can review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78), or you can visit <http://dms.dot.gov>.

Examining the Docket

You can examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the DOT street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after the DMS receives them.

Discussion

In 1992, the FAA issued a document titled "Criteria for Assessing Transport Turbojet Fleet Thrust Reverser Safety." This document is based upon the premise that no failure of thrust reverser components anticipated to occur in-service should prevent continued safe flight and landing of an airplane. In order to comply with the criteria in the document, Boeing has developed a modification that increases the level of safety of the thrust reverser system by incorporating wire modifications on McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30 and DC-10-30F (KC-10A and KDC-10) airplanes; Model DC-10-40 and DC-10-40F airplanes; and Model MD-11 and MD-11F airplanes; and by installing thrust reverser interlocks on Model DC-10-40 and DC-10-40F airplanes. Based upon the Boeing safety evaluations, we have determined that the existing thrust reverser systems on these McDonnell

Douglas airplanes do not adequately preclude unwanted deployment of a thrust reverser. Such unwanted deployment of a thrust reverser during flight could result in reduced controllability of the airplane.

This is the third in a series of planned rulemaking actions that will encompass the entire fleet of McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30 and DC-10-30F (KC-10A and KDC-10) airplanes; Model DC-10-40 and DC-10-40F airplanes; and Model MD-11 and MD-11F airplanes. This rulemaking action would be the final planned action and would complete the FAA's review of these models based on the 1992 "Criteria for Assessing Transport Turbojet Fleet Thrust Reverser Safety" for McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30 and DC-10-30F (KC-10A and KDC-10) airplanes; Model DC-10-40 and DC-10-40F airplanes; and Model MD-11 and MD-11F airplanes.

Other Related Rulemaking

We have previously issued AD 2001-05-10, amendment 39-12147 (66 FR 15785, March 21, 2001), applicable to all McDonnell Douglas Model DC-10 and MD-11 series airplanes, and KC-10A (military) airplanes. That AD requires installation of thrust reverser interlocks on certain airplanes, inspections of the thrust reverser systems to detect discrepancies on certain other airplanes, and corrective actions, if necessary. The actions required by paragraphs (c) and (i) of AD 2001-05-10 are done in accordance with McDonnell Douglas Alert Service Bulletin DC10-78A057, Revision 01, dated February 18, 1999.

We have also previously issued AD 2001-17-19, amendment 39-12410 (66 FR 44950, August 27, 2001), applicable to all McDonnell Douglas Model DC-10 series airplanes, and KC-10A and KDC-10 (military) airplanes. That AD requires certain modifications of the thrust reverser control and indication system and wiring on each engine. The actions required by paragraph (a) of AD 2001-

17-19 are done in accordance with McDonnell Douglas Service Bulletin DC10-78-060, dated December 17, 1999.

Relevant Service Information

We have reviewed Boeing Service Bulletin DC10-78-066, Revision 01, dated November 30, 2001 (for Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30 and DC-10-30F (KC-10A and KDC-10) airplanes); and Boeing Service Bulletin DC10-78-067, dated October 30, 2002 (for Model DC-10-40 and DC-10-40F airplanes). These service bulletins describe procedures for modifying the thrust reverser command wiring of the number 2 engine, located in the aft fuselage/pylon area, to provide wire separation. The modification includes installing new tubes, revising the wiring, and routing the wiring as specified in the service bulletins.

Boeing Service Bulletin DC10-78-067 also specifies prior or concurrent accomplishment of the following service bulletins:

CONCURRENT SERVICE BULLETINS FOR BOEING SERVICE BULLETIN DC10-78-067

McDonnell Douglas	Revision level	Date	Action
Alert Service Bulletin DC10-78A057 (cited as a source of service information for AD 2001-05-10).	01	February 18, 1999	Repetitive detailed visual inspections, functional checks, and torque checks of the thrust reverser systems and applicable corrective actions.
Service Bulletin DC10-78-060 (cited as a source of service information for AD 2001-17-19).	Original	December 17, 1999	Modification of the indication light system for the thrust reversers.
Service Bulletin DC10-78-064	Original	June 24, 2003	Installation of an additional thrust reverser locking system at each wing position.

We have also reviewed Boeing Service Bulletin MD11-78-007, Revision 02, dated August 22, 2001 (for Model MD-11 and -11F airplanes). This service bulletin describes procedures for modifying the thrust reverser system

wiring from the flight compartment to engines 1, 2, and 3 thrust reversers. The modification includes revising and routing the wiring; and verifying the proper configuration code and revising the wiring if required; as applicable.

The modification also includes a test of the thrust reverser system.

Boeing Service Bulletin MD11-78-007 also specifies prior or concurrent accomplishment of the following service bulletins:

CONCURRENT SERVICE BULLETINS FOR BOEING SERVICE BULLETIN MD11-78-007

Service bulletin	Revision level	Date	Action
McDonnell Douglas Service Bulletin MD11-31-091.	Original	November 5, 1998	Update program software of display electronic units.
Rohr Service Bulletin MD-11 54-200	1	May 14, 2001	Modify wing pylon harnesses.
Rohr Service Bulletin MD-11 54-201	Original	November 30, 1999	Modify pylon thrust reverser harnesses and J-box.

Accomplishing the actions specified in the service information is intended to adequately address the unsafe condition.

FAA's Determination and Requirements of the Proposed AD

We have evaluated all pertinent information and identified an unsafe condition that is likely to exist or develop on other airplanes of this same type design. Therefore, we are

proposing this AD, which would require accomplishing the actions specified in the service information described previously, except as discussed under "Differences Between the Proposed AD and Service Information."

Although AD 2001-05-10 and AD 2001-17-19 already provide certain

thrust reverser safety enhancements, this proposed AD is necessary to ensure that failure of a thrust reverser component would not prevent safe flight and landing.

Differences Between the Proposed AD and Service Information

Boeing Service Bulletin DC10-78-067, dated October 30, 2002, specifies that McDonnell Douglas Service Bulletin DC10-78-064, June 24, 2003, be done prior to or concurrently with

Boeing Service Bulletin DC10-78-067. We have determined that the installation of the thrust reverser locking systems specified in McDonnell Douglas Service Bulletin DC10-78-064 may be done after accomplishing the actions specified Boeing Service Bulletin DC10-78-067 as long as the actions in both service bulletins are done within 60 months. We have coordinated this difference with the airplane manufacturer.

Costs of Compliance

There are about 612 airplanes of the affected designs in the worldwide fleet. This proposed AD would affect about 245 airplanes of U.S. registry. The following tables provide the estimated costs for U.S. operators to comply with this proposed AD, for the applicable actions, at an average hourly labor rate of \$65.

COST FOR WIRING MODIFICATION/THRUST REVERSER LOCKING SYSTEM INSTALLATION

Action	Work hours	Parts	Cost per airplane	Number of U.S.-registered airplanes	Fleet cost
Modify wiring (Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30 and DC-10-30F (KC-10A and KDC-10) airplanes)	34	\$1,562	\$3,772	40	\$150,880
Modify wiring (Model DC-10-40 and DC-10-40F airplanes)	34	5,238	7,448	45	335,160
Modify wiring (Model MD-11 and -11F airplanes)	124-192	11,912-17,672	19,972-30,152	160	3,195,520-4,824,320
Install thrust reverser locking system (Model DC-10-40 and DC-10-40F airplanes)	218	165,535-207,792	179,705-221,962	45	8,086,725-9,988,290

COST OF CONCURRENT ACTIONS FOR MODEL MD-11 AND MD-11F AIRPLANES

Action	Work hours	Hourly labor rate	Parts	Cost per airplane
Update program software, as applicable	2	\$65	(¹)	\$130
Modify wing pylon harnesses, as applicable	100	65	5,268	11,768
Modify pylon thrust reverser harnesses and J-box, as applicable	52	65	4,397	7,777

¹ None.

Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that the proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with

this proposed AD. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

McDonnell Douglas: Docket No. FAA-2005-21470; Directorate Identifier 2003-NM-45-AD.

Comments Due Date

(a) The Federal Aviation Administration (FAA) must receive comments on this AD action by August 15, 2005.

Affected ADs

(b) None.

Applicability

(c) This AD applies to airplanes, certificated in any category, as listed in Table 1 of this AD.

TABLE 1.—APPLICABILITY

McDonnell Douglas airplane—	As identified in—
(1) Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30 and DC-10-30F (KC-10A and KDC-10) airplanes.	Boeing Service Bulletin DC10-78-066, Revision 01, dated November 30, 2001.
(2) Model DC-10-40 and DC-10-40F airplanes	Boeing Service Bulletin DC10-78-067, dated October 30, 2002.
(3) Model MD-11 and MD-11F airplanes	Boeing Service Bulletin MD11-78-007, Revision 02, dated August 22, 2001.

Unsafe Condition

(d) This AD was prompted by a determination that the thrust reverser systems on these McDonnell Douglas airplanes do not adequately preclude unwanted deployment of a thrust reverser. We are issuing this AD to prevent an unwanted deployment of a thrust reverser during flight, which could result in reduced controllability of the airplane.

Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Wiring Modification

(f) For Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, and DC-10-30F (KC-10A and KDC-10) airplanes: Within 60 months

after the effective date of this AD, modify the thrust reverser command wiring of the number 2 engine by doing all the actions specified in the Accomplishment Instructions of Boeing Service Bulletin DC10-78-066, Revision 01, dated November 30, 2001.

(g) For Model MD-11 and MD-11F airplanes: Within 60 months after the effective date of this AD, modify the thrust reverser system wiring from the flight compartment to engines 1, 2, and 3 thrust reversers by doing all the actions specified in the Accomplishment Instructions of Boeing Service Bulletin MD11-78-007, Revision 02, dated August 22, 2001.

Wiring Modification/Installation of Thrust Reverser Locking System

(h) For Model DC-10-40 and DC-10-40F airplanes: Within 60 months after the

effective date of this AD, modify the thrust reverser command wiring of the number 2 engine by doing all the actions specified in the Accomplishment Instructions of Boeing Service Bulletin DC10-78-067, dated October 30, 2002, and install thrust reverser locking systems by doing all the applicable actions specified in the Accomplishment Instructions of McDonnell Douglas Service Bulletin DC10-78-064, dated June 24, 2003.

Prior or Concurrent Actions

(i) For Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, and DC-10-30F (KC-10A and KDC-10) airplanes: Prior to or concurrent with the actions required by paragraph (f) of this AD, do the actions specified in Table 2 of this AD.

TABLE 2.—PRIOR OR CONCURRENT ACTIONS FOR MODEL DC-10-10, DC-10-10F, DC-10-15, DC-10-30, AND DC-10-30F (KC-10A AND KDC-10), AIRPLANES

Do these actions—	Required by—	In accordance with—
Repetitive detailed visual inspections, functional checks, and torque checks of the thrust reverser systems, and applicable corrective actions.	Paragraphs (c) and (i) of AD 2001-05-10, amendment Bulletin 39-12147.	McDonnell Douglas Alert Service Bulletin DC10-78A057, Revision 01, dated February 18, 1999.
Modification of the indication light system for the thrust reversers.	Paragraph (a) of AD 2001-17-19, amendment 39-12410.	McDonnell Douglas Service Bulletin DC10-78-060, dated December 17, 1999.

(j) For Model MD-11 and MD-11F airplanes: Prior to or concurrent with the

actions required by paragraph (g) of this AD, do the actions specified in Table 3 of this AD.

TABLE 3.—PRIOR OR CONCURRENT ACTIONS FOR MODEL MD-11 AND MD-11F AIRPLANES

Do these actions—	In accordance with—
Update program software of display electronic units	McDonnell Douglas Service Bulletin MD11-31-091, dated November 5, 1998.
Modify wing pylon harnesses	Rohr Service Bulletin MD-11-54-200, Revision 1, dated May 14, 2001.
Modify pylon thrust reverser harnesses and J-box	Rohr Service Bulletin MD-11-54-201, dated November 30, 1999.

Actions Accomplished According to Previous Issues of Service Bulletins

(k) Actions accomplished before the effective date of this AD according to Boeing Service Bulletin DC10-78-066, dated March

6, 2001; or Boeing Service Bulletin MD11-78-007, dated January 31, 2000; or Revision 01, dated June 6, 2001; are considered acceptable for compliance with the

applicable corresponding actions specified in this AD.

Alternative Methods of Compliance (AMOCs)

(l) The Manager, Los Angeles Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

Issued in Renton, Washington, on June 3, 2005.

Ali Bahrami,

*Manager, Transport Airplane Directorate,
Aircraft Certification Service.*

[FR Doc. 05-11879 Filed 6-15-05; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 622**

[I.D. 060805B]

RIN 0648-AP51

**Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic;
Comprehensive Amendment to the
Fishery Management Plans of the U.S.
Caribbean**

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

ACTION: Notification of availability of FMP amendment.

SUMMARY: The Caribbean Fishery Management Council (Council) has submitted a comprehensive amendment to its Spiny Lobster, Queen Conch, Reef Fish, and Coral Fishery Management Plans (FMPs) for review, approval, and implementation by NMFS. The amendment proposes to: establish management strategies to end overfishing and rebuild overfished stocks; require standardized collection of bycatch data; minimize bycatch and bycatch mortality to the extent practicable; designate essential fish habitat (EFH) and EFH habitat areas of particular concern (EFH-HAPCs) for managed stocks; and minimize, to the extent practicable, adverse effects on such habitat caused by fishing. The Council is proposing these actions to support the objectives of the Council's Spiny Lobster, Queen Conch, Reef Fish, and Coral FMPs. The intended effect of these proposed actions is to achieve optimum yield in the fisheries and provide social and economic benefits associated with maintaining healthy fishery stocks.

DATES: Written comments must be received no later than 5 p.m., eastern time, on August 15, 2005.

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

- E-mail: 0648-AP51.NOA@noaa.gov. Include in the subject line the following document identifier: 0648-AP51-NOA.
- Federal e-Rulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Mail: Steve Branstetter, Southeast Regional Office, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701.
- Fax: 727-824-5308, Attention: Steve Branstetter.

Copies of the comprehensive amendment, which includes a Final Supplemental Environmental Impact Statement, a Regulatory Impact Review, and an Initial Regulatory Flexibility Analysis are available from the Caribbean Fishery Management Council, 268 Munoz Rivera Avenue, Suite 1108, San Juan, Puerto Rico 00918-2577; telephone: 787-766-5926; fax: 787-766-6239; e-mail: miguelar@coqui.net.

FOR FURTHER INFORMATION CONTACT: Dr. Steve Branstetter, phone: 727-824-5305; fax: 727-824-5308; e-mail: steve.branstetter@noaa.gov.

SUPPLEMENTARY INFORMATION: The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires each Regional Fishery Management Council to submit any FMP or amendment to NMFS for review and approval, disapproval, or partial approval. The Magnuson-Stevens Act also requires that NMFS, upon receiving a plan or amendment, publish an announcement in the **Federal Register** notifying the public that the plan or amendment is available for review and comment.

The amendment evaluates the benefits and impacts of a number of alternatives to address the following general categories of actions: (1) Defining fishery management units (FMUs) and sub-units; (2) specifying biological reference points and stock status determination criteria; (3) regulating fishing mortality; (4) rebuilding overfished fisheries; (5) achieving the Magnuson-Stevens Act bycatch mandates; and (6) achieving the Magnuson-Stevens Act EFH mandates.

Fishery Management Units

The amendment proposes to re-define the FMUs and sub-units in the Queen Conch, Reef Fish, and Coral FMPs. The amendment proposes to redefine select FMUs to represent those species present in sufficient numbers in the U.S. EEZ to warrant inclusion in Council FMPs, retain select species in FMUs for data

collection only, and define or modify FMU sub-units to include species that are best managed together or as a unit.

Biological Reference Points and Stock Status Criteria

For all managed species (or FMU sub-units), with the exception of those species that would be included in a data collection only category, the amendment proposes to establish or revise values such as maximum sustainable yield (MSY), optimum yield, fishing mortality rate and biomass level ratios, minimum stock size threshold, maximum fishing mortality threshold, and define limit and target control rules.

Rebuilding Strategies

The amendment describes management strategies to rebuild those stocks considered to be overfished, or to protect stocks from becoming overfished. The rebuilding schedules are designed to rebuild these stocks to their biomass at MSY (B_{MSY}) within specified time frames. To achieve these goals, the Council is proposing actions to achieve immediate reductions in fishing mortality including closed seasons and areas, gear restrictions, and administrative actions to foster the development of consistent regulations in state and Federal waters.

Standardized Bycatch Reporting Methodology

The amendment proposes several actions to improve U.S. Caribbean bycatch data collection for fisheries of the region including modifying trip tickets used by the local governments to incorporate bycatch data fields. In addition, management measures are proposed to further reduce bycatch.

Essential Fish Habitat

The amendment describes, identifies, and designates EFH and EFH-HAPCs for managed stocks, and proposes management actions to minimize to the extent practicable adverse effects on such habitat caused by fishing.

A proposed rule that would implement measures outlined in the amendment has been received from the Council. In accordance with the Magnuson-Stevens Act, NMFS is evaluating the proposed rule to determine whether it is consistent with the FMP, the Magnuson-Stevens Act, and other applicable law. If that determination is affirmative, NMFS will publish the proposed rule in the **Federal Register** for public review and comment.

Comments received by August 15, 2005, whether specifically directed to the comprehensive amendment or the