

with the Secretary of State, the agency in which the Coast Guard is operating, and other appropriate departments and agencies of the United States in promulgating regulations implementing the AMLRCA and CCAMLR measures.

NEPA requires preparation of an EIS for major Federal actions significantly impacting the quality of the human environment. Regulations implementing NEPA at 40 CFR 1502.4(b) state: "Environmental impact statements may be prepared, and are sometimes required, for broad Federal actions such as adoption of new agency programs or regulations. Agencies shall prepare statements on broad actions so that they are relevant to policy and are timed to coincide with meaningful points in agency planning and decision making." NMFS has decided to prepare a programmatic EIS for all activities regulated by the United States pursuant to the conservation and management measures adopted by CCAMLR.

Background

AMLR other than whales and seals in the Convention Area are managed pursuant to the conservation and management decisions of CCAMLR. The Convention Area is the area south of 60° South latitude and between that latitude and the Antarctic Convergence forming part of the Antarctic marine ecosystem. Conservation and management decisions for AMLR within the Convention Area are made by consensus during annual meetings of the Commission created by the Convention. The United States is a contracting party and a member of the Commission. The Commission adopted its first conservation measures during its third annual meeting in 1984.

With respect to the measures adopted by CCAMLR at each of its annual meetings, the Convention provides that if a member of the Commission, within ninety days of the notification of measures adopted by the Commission, notifies the Commission that it is unable to accept any measure, in whole or in part, the measure, shall not, to the extent stated, be binding upon that member of the Commission.

Pursuant to AMLRCA, the Secretary of State, with the concurrence of the Secretary of Commerce and the Director of the National Science Foundation, appoints the U.S. representative to the Commission. The AMLRCA requires the Secretary of State to publish a **Federal Register** notice of the conservation and other measures adopted annually by the Commission and solicits public comments on those measures.

In 1986, NMFS prepared an environmental assessment (EA) that

analyzed the effects on the human environment of the regulations that implemented AMLRCA. In 2000, NMFS prepared an EA that analyzed the effects of CCAMLR's toothfish Catch Documentation Scheme (CDS) on the importation of toothfish into the United States. As a part of that analysis, NMFS looked at the fishery-wide effects on the human environment of the harvesting and trade sectors for toothfish. This analysis was critical to the implementation of the CDS, a scheme developed by CCAMLR to curtail the negative effects on toothfish stocks of illegal, unregulated and unreported fishing for toothfish. In 2003, NMFS prepared an EA that also analyzed the fishery-wide effects on the human environment. The 2003 EA focused on a preapproval process for the importation of toothfish into the United States. The process was created by NMFS to streamline the administration of the CDS and enhance efforts to prevent and discourage unlawful harvest and trade in toothfish.

Each of these EAs led to a finding of no significant impact to the human environment and, thus, no EIS was prepared. However, based on information presented to CCAMLR by its Scientific Committee in the years since 1986, trade tracking and monitoring of toothfish, and an increase in the number of U.S. participants in fisheries in the Convention Area, NMFS intends to prepare an EIS examining the effects of these changes to the fishery on the human environment.

Public Involvement

Public scoping is an early and open process for determining the scope of issues to be addressed. A principle objective of the scoping and public involvement process is to identify possible regulatory alternatives that, with adequate analysis, will delineate critical issues and provide a clear basis for distinguishing between those alternatives and selecting a preferred alternative.

In developing a draft EIS, NMFS seeks public comment for possible alternatives to implement the conservation and management measures adopted by CCAMLR. Those measures include: Compliance and enforcement (including permitting by CCAMLR members); the toothfish catch documentation scheme; gear regulations; data reporting; research and experiments; minimization of incidental mortality; general measures for new and exploratory fisheries; fishing seasons, closed areas and prohibitions of fishing; bycatch limits; and CCAMLR Ecosystem Monitoring and Management sites.

Current measures can be found at 50 CFR part 300, Suparts A and G. In addition to developing possible alternatives to these management components of the CCAMLR program, scoping meetings will serve to identify any issues that may improve or otherwise support U.S. participation in CCAMLR. For example, should the United States take stronger measures than those adopted by the Commission to address illegal, unregulated or unreported (IUU) fishing? In summary, public input is sought on possible alternatives to current regulations, on fishery or other issues, and on impacts the EIS should consider with a focus on increased U.S. fishing participation and contemporary scientific information.

After scoping meetings are concluded, NMFS will prepare a Draft Environmental Impact Statement (DEIS) and file it with the Environmental Protection Agency (EPA). The EPA will then publish a notice of availability (NOA) for the DEIS in the **Federal Register** with a 45-day public comment period. After considering all public comments, NMFS will prepare a Final Environmental Impact Statement (FEIS) and file it with the EPA. The EPA will then publish a NOA for the FEIS. At this time NMFS is unaware of the need to change the way in which it implements the conservation and management measures adopted by CCAMLR; however, the NEPA review may cause NMFS to reconsider the need for change.

Dates, Times, and Locations for Public Scoping Meetings

March 1, 2004, 2–4 p.m., Room 2358, SSMC2, 1325 East-West Highway, Silver Spring, MD 20910.

March 3, 2004, 2–5 p.m., Room 3300, Glen Anderson Federal Building, 501 W. Ocean Boulevard, Long Beach, CA 90802.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to, in Long Beach, Svein Fougner, Phone 562–980–4040, Fax 562–980–4047 or, in Silver Spring, Robert Gorrell, Phone 301–713–2341 Ext. 150, Fax 301–713–1193 at least five days prior to the meeting date.

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

Dated: February 2, 2004.

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****50 CFR Part 600****[I.D. 121603A]****Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits (EFPs); Correction**

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

ACTION: Correction to a notification of a proposal for EFPs to conduct experimental fishing.

SUMMARY: On December 24, 2003, NMFS announced that the Assistant Regional Administrator, Northeast Region, NOAA Fisheries (Assistant Regional Administrator) was proposing to issue EFPs in response to an application submitted by the Cape Cod Commercial Hook Fisherman's Association (CCCHFA), in collaboration with Massachusetts Division of Marine Fisheries (DMF), and Research, Environmental and Management Support (REMSA). These EFPs would allow up to 17 vessels to fish for haddock using longline gear or jig gear in Northeast (NE) multispecies year-round Georges Bank (GB) Closed Area I (CAI) during the months of January, February, and May through September 2004. In this notification, NMFS announces that the **Federal Register** notification contained a typographical error in the description of the area where the experiment would be conducted. This notification informs the public of the typographical error contained in December 24, 2003, document and informs the public that revised EFPs containing the correct coordinates will be issued to the applicant.

DATES: Comments on this action must be received at the appropriate address or fax number (see **ADDRESSES**) on or before February 20, 2004.

ADDRESSES: Written comments should be sent to Patricia A. Kurkul, Regional

Administrator, NMFS, NE Regional Office One Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on Haddock EFP Proposal." Comments may also be sent via fax to (978) 281-9135.

FOR FURTHER INFORMATION CONTACT:

Heather Sagar, Fishery Management Specialist, phone: 978-281-9341, fax: 978-281-9135, email: heather.sagar@noaa.gov

SUPPLEMENTARY INFORMATION:**Background**

On December 24, 2003 (68 FR 74542), NMFS published notification in the **Federal Register** announcing the receipt of an application for an EFP to conduct a study to evaluate the best spatial and temporal location for a directed haddock hook-gear fishery in GB CA I, while having minimal impact to GB cod. The results of the proposed study could be used by the New England Fishery Management Council and NMFS to determine the feasibility of establishing a Special Access Program for traditional haddock hook-and-line fishery in CA I. The **Federal Register** notification indicated the study would occur in a specified area within the northern portion of CA I (north of loran-C line 13660). The 15-day comment period on the proposed EFP closed on January 8, 2004. NMFS recently issued EFPs to the applicant that indicated that the study would be conducted within the northern portion of CA I (north of loran-C line 13660). Upon receipt of the EFPs, the applicant informed NMFS that an incorrect coordinate was cited in the EFP and the **Federal Register** notice. On page 74543, column 3, first full paragraph, the coordinate provided in the fourth line should have read "(north of loran-C line 43660)" rather than "(north of loran-C line 13660)."

An Environmental Assessment (EA) was originally prepared for the proposed study that analyzed the impacts of the proposed experimental fishery on the human environment. Although the coordinates identified numerically in the EA referred to the incorrect coordinate, the maps contained in the EA clearly identified the correct coordinates (northern portion of CA I (north of loran-C line

43660) for this study. The EA analyzed the impacts of the proposed experimental fishery on the human environment based on the area correctly identified in the maps provided in the EA. The EA concluded that the activities proposed to be conducted under the requested EFPs are consistent with the goals and objectives of the NE Multispecies Fishery Management Plan, would not be detrimental to the well-being of any stocks of fish harvested, and would have no significant environmental impacts. The EA also concluded that the experimental fishery would not be detrimental to essential fish habitat, marine mammals, or protected species. The "Finding of No Significant Impact" contained in the EA was signed by the Assistant Administrator for Fisheries on January 27, 2004.

Through this document, NMFS informs the public that the coordinates contained in the December 24, 2003, **Federal Register** notification contained a typographical error. The document should have identified the northern portion of CA I in which the study would be conducted as north of loran-C line 43660. NMFS also informs the public that NMFS intends to re-issue EFPs containing the correct coordinates. However, because the original **Federal Register** document contained the incorrect coordinates that may have caused confusion, NMFS is inviting comments on the revision to the EFPs. Should NMFS receive substantive comments on EFPs, NMFS may reconsider whether issuance of, modification to or rescission of the EFPs would be appropriate.

Therefore, on page 74543, third column, first sentence under section entitled, "Proposed EFP", remove "(north of loran-C line 13660)." and in its place insert "(north of loran-C line 43660)."

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

Dated: February 2, 2004.

Bruce C. Morehead,

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