

Federal Communications Commission.  
**Marlene H. Dortch,**  
*Secretary.*  
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## DEPARTMENT OF VETERANS AFFAIRS

### 48 CFR Part 806

RIN 2900-AI99

#### VA Acquisition Regulations: Sealed Bidding and Competitive Proposals

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Withdrawal of Proposed rule.

**SUMMARY:** This document withdraws a proposed rule published in the **Federal Register** on March 11, 1998 (63 FR 11865), that would have amended the Department of Veterans Affairs Acquisition Regulation (VAAR) at 48 CFR 806.401. The changes proposed in this rule are being incorporated into a new proposed rule under RIN 2900-AK78 that will update the entire VAAR, thus making proposed rule 2900-AI99 unnecessary.

**DATES:** The proposed rule is withdrawn as of September 12, 2003.

**FOR FURTHER INFORMATION CONTACT:** Don Kaliher, Acquisition Policy Division (049A5A), Office of Acquisition and Materiel Management, Department of Veterans Affairs, 810 Vermont Ave., NW., Washington, DC 20420, (202) 273-8819.

Approved: August 28, 2003.

**Anthony J. Principi,**  
*Secretary of Veterans Affairs.*  
 [FR Doc. 03-23199 Filed 9-11-03; 8:45 am]  
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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

### 50 CFR Part 16

RIN 1018-AT28

#### Review of Information Concerning *Boiga* Snakes

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of inquiry.

**SUMMARY:** The U.S. Fish and Wildlife Service is reviewing available economic and biological information on the *Boiga* genus of snakes for possible addition of the 28 species of snakes in the genus to the list of injurious wildlife under the

Lacey Act. The importation and introduction of *Boiga* snakes into the natural ecosystems of the United States may pose a threat to agriculture, horticulture, forestry, the health and welfare of human beings, or the welfare and survival of wildlife and wildlife resources in the United States. Listing *Boiga* snakes as injurious would prohibit their importation into, or transportation between, the continental United States, the District of Columbia, Hawaii, the Commonwealth of Puerto Rico, or any territory or possession of the United States, with limited exceptions. This notice seeks comments from the public to aid in determining if a proposed rule is warranted.

**DATES:** Comments must be submitted on or before November 12, 2003.

**ADDRESSES:** Comments may be mailed or sent by fax to the Chief, Division of Environmental Quality, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Suite 322, Arlington, VA 22203; fax (703) 358-1800. You may send comments by electronic mail (email) to: [Boiga@fws.gov](mailto:Boiga@fws.gov). See the Public Comments Solicited section below for file format and other information about electronic filing.

**FOR FURTHER INFORMATION CONTACT:** Kari Duncan, Division of Environmental Quality, Branch of Invasive Species at (703) 358-2464 or [kari\\_duncan@fws.gov](mailto:kari_duncan@fws.gov).

**SUPPLEMENTARY INFORMATION:** On May 28, 2003, the U.S. Fish and Wildlife Service received a petition from the North American Brown Tree Snake Control Team requesting that the entire *Boiga* genus of snakes be considered for inclusion in the injurious wildlife regulations pursuant to the Lacey Act. Brown tree snakes, *Boiga irregularis*, are already listed as an injurious wildlife species under the Lacey Act. The petitioners requested that we list the entire genus because many of the species are similar in appearance and could be misidentified upon inspection at importation, resulting in the accidental introduction of brown tree snakes. The petitioners also noted, "many of the *Boiga* species have similar ecologies, so it is not just the brown tree snake that has the potential to become a problematic invasive species in the United States."

There are 28 species of snakes in the *Boiga* genus. Snakes in the *Boiga* genus are native to Southeast Asia, China, India, Afghanistan, Malaysia, Indonesia, Oceania, Northeast Australia, and eastern equatorial Africa. *Boiga irregularis* was accidentally introduced in Guam and has become established. There have been other accidental

introductions into Hawaii, Alaska, and Texas, but *Boiga* snakes are not established in those locations.

Based on U.S. Fish and Wildlife Law Enforcement importation declaration data, there were 1,850 snakes in the *Boiga* genus imported into the United States during the six and one-half year period from January 1997 to June 2003. The declared value of those 1,850 snakes was \$16,495. Most of the snakes were imported from Indonesia and most are used in the pet trade.

The Lacey Act (18 U.S.C. 42) and its implementing regulations in 50 CFR part 16 restrict the importation into or the transportation between the continental United States, the District of Columbia, Hawaii, the Commonwealth of Puerto Rico, or any territory or possession of the United States of any species of wildlife, or eggs thereof, determined to be injurious or potentially injurious to certain interests, including those of agriculture, horticulture, forestry, the health and welfare of human beings, and the welfare and survival of wildlife and wildlife resources in the United States. However, injurious wildlife may be imported by permit for zoological, educational, medical, or scientific purposes in accordance with permit regulations at 50 CFR 16.22, or by Federal agencies without a permit solely for their own use. If the process initiated by this notice results in the addition of the *Boiga* genus of snakes to the list of injurious wildlife contained in 50 CFR part 16, their importation into the United States would be prohibited except under the conditions, and for the purposes, described above.

This notice solicits economic, biological, or other information concerning *Boiga* snakes. The information will be used to determine if the species is a threat, or potential threat, to those interests of the United States delineated above, and thus warrants addition to the list of injurious wildlife in 50 CFR 16.13.

#### Public Comments Solicited

Please send comments to Chief, Division of Environmental Quality, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Suite 322, Arlington, VA 22030. Comments may be hand-delivered to the above address or faxed to (703) 358-1800. If you submit comments by e-mail, please submit comments as an ASCII file format and avoid the use of special characters and encryption. Please include "Attn: [RIN 1018-AT28]" and your name and return address in your e-mail message. Please note that this email address will be

closed at the termination of this public comment period.

Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the rulemaking record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the rulemaking record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

**Authority:** This notice is issued under the authority of the Lacey Act (18 U.S.C. 42).

Dated: September 2, 2003.

**Craig Manson,**

*Assistant Secretary for Fish, Wildlife and Parks.*

[FR Doc. 03-23286 Filed 9-11-03; 8:45 am]

BILLING CODE 4310-55-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[I.D. 082703B]

#### **Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery off the Southern Atlantic States; Amendment 13; Amendment 13A**

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

**ACTION:** Notification announcing preparation of an environmental assessment (EA).

**SUMMARY:** NMFS and the South Atlantic Fishery Management Council (South Atlantic Council) intend to prepare a draft EA, in accordance with the National Environmental Policy Act (NEPA), for extension of the prohibition on fishing for and possessing snapper grouper species within the Oculina Experimental Closed Area.

**FOR FURTHER INFORMATION CONTACT:** Julie Weeder, telephone: 727-570-5305, fax:

727-570-5583, e-mail:

*Julie.Weeder@noaa.gov.*

**SUPPLEMENTARY INFORMATION:** The proposed action to continue fishing restrictions in the Oculina Experimental Closed Area was originally combined with multiple other actions the South Atlantic Council was evaluating in Amendment 13 to the Snapper-Grouper FMP. A Notice of Intent (NOI) to prepare a supplemental environmental impact statement (supplemental EIS) to support that amendment was published in the **Federal Register** on January 31, 2002 (67 FR 4696).

In March 2003, the South Atlantic Council voted to separate the actions in Amendment 13 into two amendments. The proposed action to extend the prohibition on fishing for and possessing snapper grouper species within the Oculina Experimental Closed Area is being evaluated in Amendment 13A to the Snapper-Grouper FMP. Most of the other actions in Amendment 13 are now being evaluated in Amendment 13B, for which a supplemental EIS is being prepared. The purpose of separating the actions was to ensure that the Council had the information it needed to make a decision on whether to extend the prohibition on fishing for and possessing snapper grouper species within the Oculina Experimental Closed Area before the regulations implementing that prohibition expire as scheduled in June 2004.

This document is intended to inform the public of the change from preparation of a supplemental EIS for Amendment 13A to preparation of an EA. The purpose of an EA is to determine whether significant environmental impacts would result from a proposed action. If the action is determined not to be significant, the EA and resulting Finding of No Significant Impact will be the final environmental documents required by NEPA. If the EA indicates that significant environmental impacts may be reasonably expected to occur, then the agency will prepare a supplemental EIS and publish an NOI in the **Federal Register**. The preliminary environmental review of the proposed action in this amendment indicated that it would not likely have a significant impact on the quality of the human environment. Consequently, the South Atlantic Council and NMFS are jointly preparing an EA to decide whether to prepare a supplemental EIS.

The Oculina Bank is a 90-mile (145-km) strip of coral reefs and limestone outcroppings located in the exclusive economic zone (EEZ) near the continental shelf edge, approximately 60 nautical miles (nm) off central

eastern Florida. Its name derives from the presence of banks, thickets, and rubble zones of the delicate, slow-growing *Oculina varicosa* (ivory tree coral). The massive thickets formed by this coral support dense and diverse invertebrate and finfish communities.

In recognition of the biological significance of this coral, in 1984 the Council designated a 92-square nm portion of the Oculina Bank as the "Oculina Habitat Area of Particular Concern (Oculina HAPC)". This designation categorized it as an area of special biological significance worthy of stricter regulatory and enforcement activity. The Council prohibited the use of bottom trawls, bottom longlines, dredges, fish traps, and fish pots within the Oculina HAPC to mitigate the threat of fishing gear to Oculina coral. These actions were implemented through the FMP for Coral and Coral Reefs of the Gulf of Mexico and the South Atlantic, which was prepared jointly by the Gulf of Mexico and South Atlantic Councils.

In Amendment 6 to the Snapper-Grouper FMP, which was implemented in 1994, the South Atlantic Council prohibited fishing for and retaining snapper grouper species within the Oculina HAPC, and prohibited anchoring by vessels fishing for snapper grouper species. The area to which these prohibitions applied became known as the Oculina Experimental Closed Area (OECA). The primary purpose of the OECA is to "enhance stock stability and increase recruitment by providing an area where deep-water species can grow and reproduce without being subjected to fishing mortality" (SAFMC 1993).

In January of 1996, regulations implementing Amendment 3 to the FMP for Coral, Coral Reefs and Live/Hard Bottom Habitats of the South Atlantic Region (Coral FMP) became effective. These regulations prohibited all fishing vessels from anchoring within the Oculina HAPC. Also in 1996, in Amendment 1 to the FMP for the Shrimp Fishery of the South Atlantic Region, the Council prohibited trawling for rock shrimp east of 80°W. long., between 27°30' N. and 28°30' N. lat., in depths less than 100 fathoms (183 m). These restrictions were adopted to minimize the impacts of the rock shrimp fishery on essential fish habitat including the fragile coral species existing in the Oculina bank. The area to which the prohibition applied became known as the rock shrimp closed area.

In 1998, the Council expanded the Oculina HAPC to include the rock shrimp closed area. This action was accomplished through Amendment 4 to the Coral FMP. Within the expanded