

proposing actions affecting areas designated as critical habitat must consult with us on the effects of their proposed actions, pursuant to section 7(a)(2) of the Act.

Section 4 of the Act requires that we consider economic and other relevant impacts prior to making a final decision on what areas to designate as critical habitat. We have developed a draft economic analysis and environmental assessment for the proposal to designate certain areas as critical habitat for the Preble's meadow jumping mouse. We solicit data and comments from the public on these draft documents, as well as on all aspects of the proposal. We may revise the proposal, or its supporting documents, to incorporate or address new information received during the comment period. In particular, we may exclude an area from critical habitat if we determine that the benefits of excluding the area outweigh the benefits of including the area as critical habitat, provided such exclusion will not result in the extinction of the species.

Public Comments Solicited

We intend any final action resulting from this proposal to be as accurate and as effective as possible. Therefore, we solicit comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning this proposed rule. We do not anticipate extending or reopening the comment period on the proposed rule after the comment period extension provided in this document ends (see **DATES**). We particularly seek comments concerning:

- (1) The likely economic and other impacts on farming and ranching in Wyoming and Colorado;
- (2) Costs of developing and implementing Habitat Conservation Plans for the Preble's meadow jumping mouse;
- (3) Are data available to better model residential growth patterns in Boulder, Douglas, El Paso, Jefferson, Larimer, and Weld Counties, Colorado?
- (4) Are data available to better model the characteristics of future developments?
- (5) Are data available to better model administrative and project modification costs to developers and private landowners?
- (6) Are data available to develop more accurate estimates of the number of future consultations, project modifications, and the costs for the following activities:
 - (i) Farm Service Agency (FSA) funding for agriculture operational improvements;

(ii) Natural Resource Conservation Service/FSA funding for voluntary conservation programs;

(iii) Grazing leases on Bureau of Land Management lands;

(iv) Utility projects, such as projects requiring a Clean Water Act section 404 permit from the Army Corps of Engineers and Federal Energy Regulatory Commission licensing of natural gas pipelines;

(v) Bank stabilization projects;

(vi) Development and implementation of Habitat Conservation Plans;

(vii) Dam/reservoir projects; and

(viii) Gravel mining projects?

(7) Specific information on additional land use practices, and current or planned activities in proposed critical habitat areas, as well as the anticipated impact of the proposed critical habitat designation on these activities.

We are also continuing to accept comments on the proposed critical habitat designation. If you wish to comment, you may submit your comments and materials concerning this proposal by any one of several methods (see **ADDRESSES**). If you would like to submit comments by electronic format, please submit them in ASCII file format and avoid the use of special characters and encryption. Please include your name and return e-mail address in your e-mail message.

Comments previously submitted need not be resubmitted as they have already been incorporated into the public record and will be fully considered in the final rule. Comments submitted during this comment period also will be incorporated into the public record and will be fully considered in the final rule. In order to comply with the terms of a settlement agreement, we are required to complete the final designation of critical habitat for the Preble's meadow jumping mouse by June 4, 2003 (Civil Action Number 00-D-1180). To meet this date, all comments or proposed revisions to the proposed rule, associated draft economic analysis, and environmental assessment need to be submitted to us during the comment period reopened by this document (see **DATES**).

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, which we will honor to the extent allowable by law. If you wish us to withhold your name or address, you must state this request prominently at the beginning of your comments. However, we will not consider anonymous comments. To the extent consistent with applicable law, 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. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

Comments and materials received, as well as supporting documentation used in preparation of the proposal to designate critical habitat, will be available for public inspection, by appointment, during normal business hours at the Colorado Field Office (see **ADDRESSES**).

Author

The primary author of this notice is the Colorado Field Office staff (see **ADDRESSES**).

Authority

The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

Dated: January 22, 2003.

Craig Manson,

Assistant Secretary for Fish and Wildlife and Parks.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 600

[Docket No. 020424095-2095-01; I.D. 032801B]

RIN 0648-AP25

Fishing Capacity Reduction Program for the Crab Species Covered by the Fishery Management Plan for the Bering Sea/Aleutian Islands King and Tanner Crabs

AGENCY: National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Commerce.

ACTION: Extension of public comment period on proposed rule.

SUMMARY: This document extends for 30 days the public comment period on a proposed rule for establishing a fishing capacity reduction program for the crab species managed under the Bering Sea/Aleutian Islands King and Tanner Crab Fishery Management Plan (FMP), as published on December 12, 2002.

DATES: Comments on the proposed rule will be accepted until February 27, 2003.

ADDRESSES: Mail or fax written comments about this extension or the proposed rule to Michael L. Grable. The mailing address is: Michael L. Grable, Chief, Financial Services Division, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3282. The fax number is (301) 713-1306. NMFS will not accept e-mail or internet comments.

If a comment involves any aspect of the proposed rule's collection of information requirements, send the comment both to Michael L. Grable and to the National Oceanic and Atmospheric Administration Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503. Anyone may obtain, from Michael L. Grable, the Environmental Assessment, Regulatory Impact Review, and Initial Regulatory Flexibility Analysis for this proposed rule.

Anyone wishing to contact the Restricted Access Management Program (which issues crab species fishing licenses) may do so at this address: Restricted Access Management Program, National Marine Fisheries Service, P.O. Box 21668, Juneau AK 99802-1668. The fax number is (907) 586-7354.

FOR FURTHER INFORMATION CONTACT: Michael L. Grable, (301) 713-2390

SUPPLEMENTARY INFORMATION:

Background

On December 12, 2002 (67 FR 76329), NMFS published a proposed rule in the **Federal Register** that would implement regulations for a program to reduce excess capacity and promote economic efficiency in the crab fishery under the FMP. NMFS would finance the voluntary program's \$100 million cost with a 30-year loan to be repaid by post-reduction fishermen. The proposed rule was corrected in the **Federal Register** on December 30, 2002 (67 FR 79550).

The deadline for comments on the proposed rule was January 27, 2003, and January 29, 2003 on the correction. This extension of the comment period until February 27, 2003 is in response to requests made by the public. Moreover, as the Bering Sea and Aleutian Islands C. opilio fishery was open during part of the original comment period, NMFS notes that an extension of comment period would give these members of the affected public a better chance to comment on the rule.

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

Dated: January 23, 2003.

Rebecca Lent,

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

[FR Doc. 03-1908 Filed 1-27-03; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[ID.010303C]

Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Application for an Exempted Fishing Permit

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

ACTION: Notice of receipt of three exempted fishing permits (EFP) applications; request for comments.

SUMMARY: NMFS announces the receipt of three EFP applications from the Washington State Department of Fish and Wildlife. If awarded, these EFPs would allow vessels with valid Washington State delivery permits to harvest and retain federally managed groundfish in closed rockfish conservation areas and to retain federally managed groundfish species in excess of cumulative trip limits. These activities are otherwise prohibited. Vessels fishing under these EFPs will be required to carry either a State-sponsored sampler or a Federal observer while conducting EFP fishing. Samplers/observers will collect catch and effort data and retain specimens from catch that is generally discarded at sea and is otherwise not available at the shoreside processing facility. These EFP proposals are intended to promote the objectives of the Pacific Coast Groundfish Fishery Management Plan (FMP) by providing much needed data on total catch and incidental catch rates by fishing strategy.

DATES: Comments must be received by February 12, 2003.

ADDRESSES: Copies of the EFP applications are available from Becky Renko Northwest Region, NMFS, 7600 Sand Point Way N.E., Bldg. 1, Seattle, WA 98115-0070.

FOR FURTHER INFORMATION CONTACT: Becky Renko (206) 526-6110 or Carrie Nordeen (206) 526-6144.

SUPPLEMENTARY INFORMATION: This action is authorized by the FMP and

implementing regulations at 50 CFR 600.745 and 50 CFR 660.350.

On December 12, 2002, NMFS received three completed EFP applications from the Washington State Department of Fish and Wildlife. The primary purpose of the exempted fishing activity is to measure bycatch rates for overfished and other rockfish species associated with the fishing strategies currently used to harvest dogfish shark, walleye pollock, and arrowtooth flounder.

Each EFP requires that the participating vessels carry a State-sponsored sampler or Federal groundfish observer to collect data from which incidental catch rates and total catch of various species and species groups can be estimated. Samplers/observers would also collect and retain specimens, that may not be kept under current regulations. Because the retention of such fish is prohibited by Federal regulations, an EFP is needed to allow State-sponsored samplers to retain these specimens. To the extent possible, data provided by the State-sponsored samplers will be compatible with that collected by the NMFS coastwide observer program. The information gathered through these EFPs may lead to future rulemakings.

At the Pacific Fishery Management Council's (Council) November 2002, meeting in Foster City, CA, the applicants presented the EFP applications. The Council considered the applications and recommended that NMFS issue the EFPs for the proposed activity. All EFP harvests are expected to be within set asides optimum yields (OYs) for 2003 EFP harvests and, therefore, no OY is expected to be exceeded. Copies of the applications are available for review from NMFS (see **ADDRESSES**).

Spiny Dogfish (*Squalus acanthias*)

Spiny dogfish is an abundant and important species in the groundfish fishery off Washington State. Fixed gear is used to directly harvest spiny dogfish. For 2003, fishing with fixed gear in areas where spiny dogfish have historically been harvested will be prohibited because the areas fall within the Non-trawl Rockfish Conservation Area. Rockfish conservation areas are large-scale depth-related areas where low abundance groundfish species are commonly found. Little is known about the bycatch catch rates of other groundfish, including overfished species, by vessels specifically targeting spiny dogfish. However, fishers believe that spiny dogfish can be harvested with much lower bycatch rates than are currently assumed.