

information, and consulted with biologists and researchers knowledgeable of gray wolves in general, and the Alexander Archipelago wolf in particular. The 1979 Tongass National Forest Land Management Plan, as amended, formed the basis for evaluating the status of the wolf on the Tongass National Forest. On May 23, 1997, the USDA Forest Service issued a revised Tongass Land Management Plan. Consequently, the review of the 1979 Tongass Land Management Plan no longer represented the "current" plan as specified by the Court ruling. The Fish and Wildlife Service was, therefore, granted an 90-day extension in order to reevaluate the status of the wolf under the provisions of the 1997 Tongass Land Management Plan.

#### *Queen Charlotte Goshawk*

On May 9, 1994, the Fish and Wildlife Service received a petition dated May 2, 1994, from the Southwest Center for Biological Diversity, Greater Gila Biodiversity Project, Biodiversity Legal Foundation, Greater Ecosystem Alliance, Save the West, Save America's Forests, Native Forest Network, Native Forest Council, Eric Holle, and Don Muller, to list the Queen Charlotte goshawk as endangered pursuant to the Endangered Species Act. The petition was based largely upon the present and impending impacts to the Queen Charlotte goshawk caused by timber harvest in the Tongass National Forest. On August 26, 1994, the Service published a positive 90-day finding (59 FR 44124) that substantial information was presented in the petition indicating that the requested action may be warranted.

In accordance with the Service's listing petition procedures, the positive 90-day finding initiated a more thorough 12-month evaluation, and based on this evaluation the Service determined on May 19, 1995, that listing was not warranted. Notice of this finding was published on June 29, 1995 (60 FR 33784). In the 12-month finding, the Service acknowledged that continued large-scale removal of old-growth forest in the Tongass National Forest would result in significant adverse effects on the Queen Charlotte goshawk in southeast Alaska; however, at that time the Forest Service was revising land use strategies to ensure goshawk habitat conservation. The Service believed that the proposed actions to protect goshawks would preclude the need for listing.

On November 17, 1995, the Southwest Center for Biological Diversity, Biodiversity Legal Foundation, Save the West, Save America's Forests, Native Forest Network, Native Forest Council,

Eric Holle, and Don Muller filed a complaint in United States District Court, District of Columbia, against the Department of the Interior and the Service for their refusal to list the Queen Charlotte goshawk or designate critical habitat. The concern was that the Service based its not warranted finding on proposed changes to the Forest Service's Tongass Land Management Plan, although there was no commitment that those proposed changes would be adopted in the final version. On September 25, 1996, the United States District Court remanded the 12-month finding to the Secretary of Interior, instructing him to reconsider the determination "on the basis of the current forest plan, and status of the goshawk and its habitat, as they stand today" (95 CV 02138 DDC).

Accordingly, a public comment period was opened on December 5, 1996 (61 FR 64497) to gather all new information for review. It was extended until April 4, 1997 through three subsequent notices (61 FR 69065; 62 FR 6930; and 62 FR 14662). The Service has reevaluated the petition and the literature cited in the petition, reviewed the Tongass Land Management Plan and other available literature and information, and consulted with biologists and researchers knowledgeable of northern goshawks in general, and the Queen Charlotte goshawk in particular. The 1979 Tongass National Forest Land Management Plan, as amended, formed the basis for evaluating the status of the goshawk on the Tongass National Forest. On May 23, 1997, the USDA Forest Service issued a revised Tongass Land Management Plan. Consequently, the review of the 1979 Tongass Land Management Plan therefore, no longer represented the "current" plan as specified by the Court ruling. The Fish and Wildlife Service was, therefore, granted an 90-day extension in order to reevaluate the status of the goshawk under the provisions of the 1997 Tongass Land Management Plan.

#### **Comments Requested**

Separate findings based on the status reviews will be issued for the Alexander Archipelago wolf and the Queen Charlotte goshawk by August 31, 1997. In order to complete these status reviews, the Service is requesting any information, data, comments, and suggestions from the public, other concerned government agencies, the scientific community, industry, or other interested parties concerning the status of these species. In regard to the 1997 Tongass Land Management Plan, the Service is only interested in comments

on the effects of the 1997 Tongass Land Management Plan on Alexander Archipelago wolves and Queen Charlotte goshawks.

For information on the 1997 Tongass Land Management Plan and Record of Decision, contact Pamela Finney, by telephone at 907/586-8726, or by writing the USDA Forest Service, 8465 Old Dairy Road, Juneau, Alaska, 99801. Any general comments on the Tongass Land Management Plan may be submitted to the Forest Service at that address.

#### **Authority**

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

Dated: June 6, 1997.

**David B. Allen,**

*Regional Director, Region 7, Fish and Wildlife Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 600

[I.D. 120996A]

#### Magnuson Act Provisions; Essential Fish Habitat; Public Meeting; Extension of Comment Period

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

**ACTION:** Extension of comment period.

**SUMMARY:** NMFS announces the extension of the public comment period on the proposed regulations containing guidelines for the description and identification of essential fish habitat (EFH) in fishery management plans. The public comment period is hereby extended to July 8, 1997, to give members of the public additional time to review and comment on the proposed regulation. NMFS also announces its intent to hold at least one additional public meeting at a date, time, and location to be announced in a future notice. This meeting is added to provide an additional opportunity for public comment on the EFH proposed regulations.

**DATES:** Written comments will be accepted on or before July 8, 1997. The date of the additional meeting will be announced in a future notice.

**ADDRESSES:** Comments should be addressed to Office of Habitat

Conservation, Attention: EFH, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3282; telephone: 301/713-2325. The location of the additional public meeting will be announced in a future notice.

**FOR FURTHER INFORMATION CONTACT:** Lee Crockett, NMFS, 301/713-2325.

**SUPPLEMENTARY INFORMATION:**

**Background**

NMFS issued proposed regulations containing guidelines for the description and identification of EFH in fishery management plans, adverse impacts on EFH, and actions to conserve and enhance EFH on April 23, 1997 (62 FR 19723). An extension of the comment period was published on May 19, 1997 (62 FR 27214). The regulations would also provide a process for NMFS to coordinate and consult with Federal and state agencies on activities that may adversely affect EFH. The guidelines are required by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The purpose of the rule is to assist fishery management councils in fulfilling the requirements set out by the Magnuson-Stevens Act to amend their fishery management plans to describe and identify EFH, minimize adverse effects on EFH, and identify other actions to conserve and enhance EFH. The purpose of the coordination and consultation provisions is to specify procedures for adequate consultation with NMFS on activities that may adversely affect EFH.

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

Dated: June 6, 1997.

**James P. Burgess,**

*Director, Office of Habitat Conservation,  
National Marine Fisheries Service.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 622**

[I.D. 052897C]

**South Atlantic Fishery Management Council; Public Hearings**

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

**ACTION:** Public hearings; request for comments.

**SUMMARY:** The South Atlantic Fishery Management Council (Council) will convene seven public hearings on Draft Amendment 9 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region (FMP) and its draft supplemental environmental impact statement (draft SEIS).

**DATES:** Written comments will be accepted until 5 p.m. on July 11, 1997. The hearings will be held from June 17 to July 2, 1997. See **SUPPLEMENTARY INFORMATION** for specific dates and times.

**ADDRESSES:** Written comments should be sent: By mail to Bob Mahood, Executive Director, South Atlantic Fishery Management Council, One Southpark Circle, Suite 306, Charleston, SC 29407-4699; via fax, South Atlantic Fishery Management Council, (803) 769-4520; or via email, safmc@noaa.gov. Copies of the draft amendment and SEIS are available from Susan Buchanan at 803-571-4366. The draft amendment and SEIS will also be available to the public at the hearings.

The hearings will be held in Florida, Georgia, South Carolina, and North Carolina. See **SUPPLEMENTARY INFORMATION** for locations of the hearings and special accommodations.

**FOR FURTHER INFORMATION CONTACT:** Susan Buchanan, Public Information Officer, South Atlantic Fishery Management Council, 803-571-4366; Fax: 803-769-4520; E-mail address: safmc@noaa.gov.

**SUPPLEMENTARY INFORMATION:** The Council will hold public hearings on Draft Amendment 9 to the FMP and the associated draft SEIS.

Amendment 9 includes management measures that would: 1. Increase the red porgy minimum size limit from 12" (30.5 cm.) total length (TL) to 13" (33 cm) TL for both recreational and commercial fishermen, and establish a recreational bag limit of two red porgy per person per day;

2. Increase the black sea bass minimum size limit from 8" (20.3 cm) TL to 10" (25.4 cm) TL for both recreational and commercial fishermen, and establish a recreational bag limit of 20 black sea bass per person per day;

3. Require escape vents and escape panels with degradable fasteners in black sea bass pots;

4. Establish measures for greater amberjack that will: Prohibit all harvest in excess of the bag limit throughout the exclusive economic zone (EEZ) of the South Atlantic during April and May; prohibit sale during April and May; reduce the recreational bag limit from three to one greater amberjack per

person per day; and prohibit coring (removal of head and tail);

5. Increase the recreational vermilion snapper minimum size limit from 10" TL (25.4 cm) to 12" (30.5 cm) TL;

6. Increase the gag minimum size limit from 20" (50.8 cm) TL to 24" (61 cm) TL for both recreational and commercial fishermen, and prohibit all harvest January through March;

7. Increase the black grouper minimum size limit from 20" (50.8 cm) TL to 24" (61 cm) TL for both recreational and commercial fishermen;

8. Specify that within the current five-fish aggregate grouper bag limit (which includes tilefish and excludes jewfish and Nassau grouper), no more than two fish may be gag grouper or black grouper;

9. Establish an aggregate recreational bag limit of 20 fish per person per day inclusive of all snapper and grouper species currently not under a bag limit;

10. Specify that vessels with bottom longline gear aboard may only possess snowy grouper, warsaw grouper, yellowedge grouper, misty grouper, golden tilefish, blue-line tilefish, and sand tilefish; and

The Council is also evaluating use of one or more of the following measures to reduce fishing mortality, in addition to the species specific actions listed above:

(1) Establish a variable 3-month closure of the EEZ for all temperate mid-shelf species (TEMS) in the snapper-grouper management unit. Individual snapper-grouper permit holders would be allowed to choose which 9 calendar months their permits would be effective. TEMS species consist of red porgy, vermilion snapper, red snapper, speckled hind, gag, scamp, red grouper, gray triggerfish, white grunt, and black grouper; black sea bass may also be included in the TEMS group.

(2) For TEMS, establish an aggregate quota at 75 percent of the 1993-1995 average landings (with and without black sea bass), establish a 2,000-lb (908-kg) trip limit, begin the fishing year on April 1, and close the fishery during February;

(3) Establish a black sea bass quota at 75 percent of the 1993-1995 average landings;

(4) Establish by framework regulatory adjustment procedure closed seasons to achieve reductions in TEMS species (with and without black sea bass) of not less than 25 percent of the 1993-1995 average landings.

The hearings will begin at 7 p.m. and will end when all business is completed. Staff members will be available at the hearing locations from 6 p.m. to 7 p.m. (1 hour before the