

tributaries will return concurrently with the direct hatchery-origin adult sockeye.

The program's 12-year, or three-sockeye salmon generations per release site, duration is intended to address the concern that repeated enhancement of the same population segment might result in a decrease in effective population size of the target population. It also limits the length of time natural-origin sockeye salmon are exposed to potentially deleterious selective effects of hatchery conditions to a few generations, minimizing the likelihood for divergence between hatchery and natural-origin fish within the supplemented stock. Limitation of fish rearing in the hatchery to the fry life stage minimizes the degree of human intervention in the natural life cycle, which also acts to decrease the risk of inadvertent hatchery selection effects.

Actions resulting in removal of listed sockeye salmon adults from the natural environment for artificial propagation are confined to the tributary broodstock collection program (listed NOR tributary-origin fish), and a study addressing beach-spawned egg and fry survival. The actual numbers of adults returning each year to the Ozette Lake sockeye salmon ESU will be substantially higher than total numbers proposed for take through these actions. The tributary broodstock program is focused on hatchery-origin sockeye salmon returns, and will not lead to the take of adult fish from the core, listed lake spawning population. Monitoring programs are implemented to ensure that injury and mortality rates for adult sockeye salmon collected as broodstock are minimized, and that egg-to-release survival rates for sockeye progeny brought into the hatchery are maximized. Proposed listed sockeye salmon removals from the spawning beaches for research purposes will be very low relative to total annual returns to the lake, and unlikely to impair population survival and recovery.

Research, monitoring, and evaluation activities included in the RMP have not been identified as factors for decline of the Ozette Lake sockeye salmon ESU, and are generally considered an essential part of salmon recovery efforts. For these programs, the co-managers worked with NMFS and cooperating agencies to develop projects that will benefit the conservation and recovery of the listed species. The projects will provide information that will enhance the ability to make more effective and responsible decisions to aid listed sockeye salmon. The resulting data will enhance knowledge about Ozette Lake sockeye salmon life history, specific biological requirements, genetic make-

up, migration timing, responses to anthropogenic impacts, and survival in various parts of the ESU's range. This information will also benefit scientific understanding of sockeye salmon productivity in Ozette Lake, and of factors limiting sockeye abundance and productivity. The results of the research are essential for making determinations regarding listed sockeye salmon recovery needs. The RMP also includes provisions for annual reports. Annual reports will assess compliance with performance standards established through the RMP. Reporting and inclusion of new information derived from RMP research, monitoring, and evaluation activities provides assurance that performance standards will be achieved in future seasons. NMFS' evaluation is available on the Salmon Recovery Division web site (see Electronic Access, under the heading, **SUPPLEMENTARY INFORMATION**).

#### **Summary of Comments Received in Response to the Proposed Evaluation and Pending Determination**

NMFS published notice of its proposed evaluation and pending determination on the RMP for public review and comment on August 1, 2002 (67 FR 49905), and again on October 4, 2002 (67 FR 62229). During the 45 days that the documents were available for public comment, two organizations and one private citizen submitted comments to NMFS. Several comments were addressed in NMFS' final Evaluation and Recommended Determination document, but no substantive changes were required to the RMP. Generally, public comments on both documents concerned clarification of aspects of the analyses, and did not represent objections to the proposed action. The major topics raised involved the relationship between the tributary sockeye salmon populations that are the target of the propagation programs and the ESA-listed beach-spawning populations, and the potential future application of fisheries in the action area. As summarized above, the RMP considered in the NMFS evaluation document does not propose hatchery supplementation of the beach-spawning sockeye salmon population, nor the initiation of any fisheries. Any future proposals regarding these actions will necessitate reinitiation of evaluation and determination processes by NMFS to determine compliance with ESA protective provisions. A detailed summary of the comments and NMFS' responses is also available on the Salmon Recovery Division website. Based on its evaluation and recommended determination and taking

into account the public comments, NMFS issued its final determination on the Ozette Lake sockeye salmon RMP.

#### **Authority**

Under section 4 of the ESA, the Secretary of Commerce is required to adopt such regulations as he deems necessary and advisable for the conservation of species listed as threatened. The ESA salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000) specifies categories of activities that contribute to the conservation of listed salmonids and sets out the criteria for such activities. The rule further provides that the prohibitions of paragraph (a) of the rule do not apply to actions undertaken in compliance with a RMP developed jointly by the State of Washington and the Tribes and determined by NMFS to be in accordance with the salmon and steelhead 4 (d) rule (65 FR 42422, July 10, 2000).

Dated: March 30, 2004.

**Susan Pultz,**

*Acting Chief, Endangered Species Division,  
Office of Protected Resources, National  
Marine Fisheries Service.*

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#### **DEPARTMENT OF COMMERCE**

#### **National Oceanic and Atmospheric Administration**

[I.D. 040104B]

#### **Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Fishery Management Plan for Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Limited Access; Scoping Meetings**

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

**ACTION:** Notice of intent to prepare a draft supplemental environmental impact statement (DSEIS); notice of scoping meetings; and request for comments.

**SUMMARY:** The South Atlantic Fishery Management Council (Council) intends to prepare a DSEIS that describes and analyzes management alternatives associated with limiting access in the king mackerel fishery. The purpose of this notice is to solicit public comments on the scope of issues to be addressed in the DSEIS, which will be submitted to NMFS for filing with the Environmental Protection Agency (EPA)

for publication of a Notice of Availability for public comment.

**DATES:** Written comments must be received by the Council by 5 p.m. on May 7, 2004 (See **ADDRESSES**). A series of scoping meetings will be held in April 2004. See **SUPPLEMENTARY INFORMATION** for specific dates, location and times.

**ADDRESSES:** Written comments on the scope of the DSEIS should be sent to the South Atlantic Fishery Management Council, One Southpark Circle, Suite 306, Charleston, SC 29407-4699; telephone: 843-571-4366 or toll free 1-866-SAFMC-10; FAX 843-769-4520; email: [mackerelcomments@safmc.net](mailto:mackerelcomments@safmc.net).

**FOR FURTHER INFORMATION CONTACT:** Kim Iverson, Public Information Officer; telephone: 843-571-4366 or toll free 1-866-SAFMC-10; fax: 843-769-4520; email: [kim.iverson@safmc.net](mailto:kim.iverson@safmc.net).

**SUPPLEMENTARY INFORMATION:** King mackerel in the South Atlantic are managed jointly with the Gulf of Mexico Fishery Management Council under the Fishery Management Plan for Coastal Migratory Pelagic Resources (Mackerel FMP). The Mid-Atlantic Fishery Management Council cooperates with the South Atlantic Council in developing management measures in the Atlantic. The king mackerel fishery currently operates under a moratorium on the issuance of new commercial vessel permits. The moratorium on new king mackerel permits was established by Amendment 8 to the Mackerel FMP in March 1998 (63 FR 10561; March 4, 1998) and was extended with the implementation of Amendment 12 to the Mackerel FMP (65 FR 52955; August 31, 2000). It is scheduled to expire on October 15, 2005.

The Council intends to develop a DSEIS that describes and analyzes management alternatives to limit entry in the king mackerel fishery. Those alternatives include, but are not limited to the following: (1) A "no action" alternative that would allow the moratorium to expire; (2) an extension of the current moratorium for a designated time frame; or (3) The establishment of some form of license limitation system, including individual fishing quotas. If a license limitation system is chosen, the Council may also consider alternatives for different classes of licenses, initial qualification, initial allocations by license classes, transferability, and appeals regarding eligibility. Also included in the scoping document are alternatives for possible changes to the fishing year for Atlantic group king and Spanish mackerel.

In accordance with NOAA Administrative Order 216-6, Section

5.02(c), the Council has developed this preliminary range of alternatives as a means to initiate discussion for scoping purposes only. This may not represent the full range of alternatives that eventually will be evaluated by the Council. Copies of the scoping document will be available at the meetings and are available prior to the meetings from the Council office (see **ADDRESSES**).

#### Time and Location for Scoping Meetings

Mackerel scoping will be held at the following dates and locations. All meetings are scheduled to begin at 6:00 PM.

1. Tuesday, April 20, 2004, North Carolina Aquarium on Roanoke Island, 374 Airport Road, Manteo, NC 27954; telephone: 252-473-3494;

2. Wednesday, April 21, 2004, Blockade Runner Beach Resort, 530 Causeway Drive, Wrightsville Beach, NC 28480; telephone: 910-256-0125;

3. Thursday, April 22, 2004, Holiday Inn West on the Waterway, 101 Outlet Boulevard, Myrtle Beach, SC 29579; telephone: 843-236-1000;

4. Monday, April 26, 2004, Hyatt Regency Savannah, Two West Bay Street, Savannah, GA 31401; telephone: 912-238-1234;

5. Tuesday, April 27, 2004, Holiday Inn SunSpree Resort, 1617 North First Street, Jacksonville Beach, FL 32250; telephone: 904-249-9071;

6. Wednesday, April 28, 2004, Radisson Beach Resort, North Hutchinson Island, 2600 North A1A, Fort Pierce, FL 34949; telephone: 772-465-5544; and

7. Thursday, April 29, 2004, Holiday Inn Key Largo, 99701 Overseas Highway, Key Largo, FL 33037; telephone: 305-451-2121.

In addition, the Mid-Atlantic Council will hold a scoping meeting during its May 4-6, 2004, meeting at the Crown Plaza Meadowlands, 2 Harmon Plaza, Secaucus, NJ 07094; telephone: 202 210-7231. The Mid-Atlantic Council will include the exact time of the scoping meeting in its **Federal Register** notice for the Council meeting.

#### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) by April 15, 2004.

Dated: April 6, 2004.

**Alan D. Risenhoover,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 033104E]

#### Marine Mammals; File No. 1009-1640

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

**ACTION:** Issuance of permit.

**SUMMARY:** Notice is hereby given that Dr. Jerome Siegel, Neurobiology Research 151A3, 16111 Plummer St., VA GLAHS-Sepulveda, North Hills, CA 91343, has been issued a permit to import tissue samples from bottlenose dolphins (*Tursiops truncatus*), harbor porpoise (*Phocoena phocoena*), common dolphins (*Delphinus delphis*), beluga whales (*Delphinapterus leucas*), and Northern fur seals (*Callorhinus ursinus*) from Russia, and to analyze tissue samples from captive killer whales (*Orcinus orca*) and bottlenose dolphins in the U.S. for purposes of scientific research.

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376; and

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018.

**FOR FURTHER INFORMATION CONTACT:** Amy Sloan or Sarah Wilkin, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On October 29, 2002, notice was published in the **Federal Register** (67 FR 65956) that a request for a scientific research permit to take the species identified above had been submitted by the above-named individual. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), and the regulations governing the taking,