APPENDIX L

Notice to Prepare a Revised Draft PSEIS

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measures were necessary to meet certain statutory deadlines in the AFA while the comprehensive suite of permanent management measures under Amendments 61/61/13/8 continued to undergo development, revision, and analysis by the Council and NMFS. The first emergency interim rule set out permit requirements for AFA vessels, processors, and cooperatives (65 FR 380, January 5, 2000; extended at 65 FR 39107, June 23, 2000). The second emergency interim rule established sector allocations, cooperative regulations, sideboards, and catch monitoring requirements for the AFA fleets (65 FR 4520, January 28, 2000; extended at 65 FR 39107, June 23, 2000).

February 2000. At its February 2000 meeting in Anchorage, AK the Council reviewed its revised analysis of groundfish processing sideboards and excessive share processing caps and requested analysis of several additional issues with the stated intent that the analysis would be reviewed again in June 2000. The Council postponed action on proposed changes to the structure of the inshore cooperative program and independent catcher vessel proposal until June 2000. Finally, at that meeting, the Council and NMFS decided it would be appropriate to expand the environmental assessment prepared for Amendments 61/61/13/8 into an EIS given the magnitude of the proposed management program to implement the AFA.

April 2000. At its April 2000 meeting in Anchorage, AK the Council received extensive testimony from industry on several elements of Amendments 61/61/13/8. Catcher vessel owners requested that the Council consider revising several of its recommendations related to catcher vessel sideboards, retirement of vessels, and the formula for calculating inshore cooperative allocations. The Council requested preparation of a supplemental analysis of these issues for consideration in June 2000. The Council also received testimony from crab fishermen who opposed the crab processing caps implemented in 2000 through an emergency interim rule. The Council announced its intent to examine alternatives for crab processing caps at its June 2000 meeting with final action on any changes scheduled for September 2000. In addition, the April Council meeting was used as a scoping meeting to solicit input from the public on issues and alternatives that should be addressed in the EIS under preparation for Amendments 61/61/13/8.

June 2000. At its June 2000 meeting in Portland, OR the Council reviewed its analysis of proposed structural changes to the inshore cooperative program including the independent catcher vessel proposal. The Council did not adopt changes promoted by independent catcher vessel owners that would have allowed greater flexibility in choosing which cooperative a vessel could join. Instead, the Council recommended two changes related to retirement of vessels and allocation formulas that would supersede the measures set out in the AFA. These changes were incorporated as revisions to Amendments 61/61/13/8. The Council also examined the issue of groundfish processing sideboards and excessive processing share caps and voted to release its analysis for public review with intent to take final action on these measures at its October 2000 meeting. The Council's original intent was to include groundfish processing sideboards and excessive processing share caps in Amendments 61/61/13/8. However, due to the extensive additional analysis required for these two issues, the Council decided to address these issues on a separate timetable with a separate analysis.

September 2000. At its September 2000 meeting in Anchorage, AK the Council examined proposed changes to crab processing sideboard limits and recommended that the 1995-1997 formula used to calculate crab processing caps under the AFA be revised by adding 1998 processing history and giving it double-weight. In other words, 1995-1998 would be used to determine crab processing history with the 1998 year counting twice. The purpose of this change was to give greater emphasis to recent processing history in consideration of changes to the crab processing industry that have occurred since 1995.

October 2000. At its October 2000 meeting in Sitka, AK the Council considered the issues of BSAI pollock excessive processing share limits and groundfish processing sideboard limits. The Council adopted a 30-percent excessive processing share limit for BSAI pollock that would be applied using the same 10 percent entity rules set out in the AFA to define AFA entities for the purpose of the 17.5 percent excessive harvesting share limit contained in the AFA. This action represents the Council's final revision to Amendments 61/61/13/8 before official submission of the Amendments to the Secretary of Commerce for review and approval. With respect to non-pollock groundfish processing sideboards, the Council took no action. The Council believed that placing non-pollock groundfish processing limits on AFA processors could have negative effects on markets for both AFA and non-AFA catcher vessels. In addition, the Council concluded that its suite of harvesting sideboard restrictions on AFA catcher vessels and catcher/processors also serve to protect non-AFA processors in the BSAI, which are primarily non-AFA catcher/processors. Instead of imposing non-pollock processing limits on AFA processors, the Council indicated its intent to explore revisions to its Improved Retention/Improved Utilization program set out at 50 CFR 679.27. Testimony from non-AFA processors indicated that such changes could be a more effective means of providing a more level playing field for non-AFA catcher/processors.

Public comments are being solicited on Amendments 61/61/13/8 through the end of the comment period specified in this document. A proposed rule that would implement Amendments 61/61/13/8 may be published in the **Federal Register** for public comment following evaluation by NMFS under the Magnuson-Stevens Act procedures. All comments received by the end of the comment period specified in this document, whether specifically directed to Amendments 61/61/13/8 or to the proposed rule, will be considered in the decision to approve, disapprove, or partially approve Amendments 61/61/13/8.

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

Dated: November 20, 2001.

Jon Kurland,

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 679

[I.D. 053001D]

Groundfish Fisheries of the Bering Sea and Aleutian Islands Area and the Gulf of Alaska

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

ACTION: Notice of intent to revise the Alaska Groundfish Fisheries Draft Programmatic Supplemental Environmental Impact Statement (SEIS).

SUMMARY: NMFS announces its intent to revise the Alaska Groundfish Fisheries

draft Programmatic SEIS. After reviewing more than 21,000 comment letters received on the draft Programmatic SEIS, NMFS has determined that revisions to the draft Programmatic SEIS are appropriate and necessary. NMFS has also determined that these revisions will require the release of a revised draft Programmatic SEIS. Based on these decisions, NMFS announces a new date for the completion of the Programmatic SEIS and issuance of the Record of Decision based thereon.

DATES: *See* **SUPPLEMENTARY INFORMATION** for the dates concerning completion of the Alaska Groundfish Fisheries Programmatic SEIS. The December 2001 North Pacific Fishery Management Council (Council) meeting will be held December 5 through 10, 2001. Additional information concerning the agenda for the Council's December 2001 meeting can be found at *http://www.fakr.noaa.gov/npfmc.*

ADDRESSES: The December 2001 North Pacific Fishery Management Council meeting will be held at the Hilton Hotel, Anchorage, AK.

FOR FURTHER INFORMATION CONTACT: Steven K. Davis, Programmatic SEIS Coordinator, Anchorage, Alaska, (907) 271–3523.

SUPPLEMENTARY INFORMATION: On January 26, 2001, NMFS released a draft of the Alaska Groundfish Fisheries Programmatic SEIS for a 90-day public review and comment period. As a result of NMFS granting requests by the interested public for two extensions of the public comment period, the comment period for the draft Programmatic SEIS ran for a total of 180 days and ended on July 25, 2001. As a result of this extended public comment period and the voluminous public comments received therein, NMFS determined that it would issue a final Programmatic SEIS for the Alaska groundfish fisheries during the summer of 2002 and a Record of Decision shortly thereafter.

NMFS received 21,361 letters commenting on the draft Programmatic SEIS during the comment period. Comments on the draft Programmatic SEIS were received from all 50 States, as well as the District of Columbia and Puerto Rico. Citizens from 28 foreign countries also provided comments. Within these 21,361 letters, NMFS identified 4,044 substantive comments.

Based on its review and preliminary analysis of the comments received on the draft Programmatic SEIS, NMFS has made several decisions concerning the draft Programmatic SEIS. First, NMFS has determined that the draft Programmatic SEIS should be revised to include additional analyses concerning environmental, economic and cumulative impacts. Second, NMFS has determined that the alternatives contained in the draft Programmatic SEIS should be restructured, shifting from single-focus alternatives to more comprehensive, multiple-component alternatives. Third, NMFS has determined that the draft Programmatic SEIS should be edited to evaluate more concisely the proposed action. The revisions to the Programmatic SEIS will build from the information and analyses contained in the January 26, 2001, draft Programmatic SEIS. Given its decisions, NMFS has determined that it will release a revised draft Programmatic SEIS for public review and comment before issuing the final Programmatic SEIS.

General Process and Dates for Completion of the Programmatic SEIS

Given the determinations described above, NMFS has decided that a modification to the current schedule for completion of the Programmatic SEIS is appropriate and necessary. The following dates reflect the amount of time that NMFS has determined will be needed to complete the additional analyses and editing of the draft Programmatic SEIS, and to allow for adequate public review and comment on the revised draft Programmatic SEIS, including the restructured alternatives. NMFS will seek assistance and input from the Council and the public in developing the restructured alternatives. It will consider, among other things, several restructured alternatives in the revised draft Programmatic SEIS, including alternatives that were suggested or proposed in comments received on the January 2001 draft Programmatic SEIS and that are developed in conjunction and cooperation with the Council and/or the public.

December 2001 North Pacific Fishery Management Council Meeting

NMFS will present the Council and the public with a preliminary template that describes the framework within which restructured alternatives will be developed.

January Through August 2002

From January through August 2002, NMFS will prepare the revised draft Programmatic SEIS. NMFS will prepare additional analyses concerning environmental, economic and cumulative impacts, restructure the alternatives and prepare an analysis of the effects of those alternatives on the human environment, and edit the Programmatic SEIS to evaluate more concisely the proposed action. As noted above, NMFS will seek assistance and input from the Council and the public in developing the restructured alternatives.

September Through December 2002

From September through December 2002, NMFS will issue a revised draft Programmatic SEIS for a public review and comment period.

January Through August 2003

From January through August 2003, NMFS will prepare the final Programmatic SEIS. NMFS will review and consider public comments received on the revised draft Programmatic SEIS and will present a summary of those comments to the Council and the public.

September 2003

NMFS will issue a final Programmatic SEIS and allow a 30-day public comment period on the final Programmatic SEIS.

No later than December 31, 2003

NMFS will issue a Record of Decision on the Programmatic SEIS.

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

Dated: November 20, 2001.

Jon Kurland,

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

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