

2004, we published in the **Federal Register** (69 FR 21484) a finding that these petitions and additional information available in our files presented substantial information that listing the species may be warranted. We requested in that finding that commenters submit any new information concerning the species to us by June 21, 2004. To ensure that all interested parties have adequate opportunity to provide us with information, we are formally reopening the comment period until July 30, 2004.

Section 4(b)(3)(B) of the Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531 *et seq.*), requires that, for any petition to revise the List of Threatened and Endangered Species that contains substantial information that listing may be warranted, we make a finding within 12 months of the date of the receipt of the petition on whether the petitioned action is: (a) Not warranted, or (b) warranted, or (c) warranted but that the immediate proposal of a regulation implementing the petitioned action is precluded by other pending proposals to determine whether any species is threatened or endangered, and expeditious progress is being made to add or remove qualified species from the List of Threatened and Endangered Species. We are to base this finding on the best scientific and commercial information available to us at the time we make the finding. Because of the volume and complexity of the information that must be reviewed and considered in time to meet the statutory deadline for the 12 month petition finding, we do not anticipate being able to fully consider any substantive information received after July 30, 2004, and we have structured the public comment period accordingly.

The sage-grouse is the largest North American grouse species. Sage-grouse depend on a variety of shrub-steppe habitats throughout their life cycle, and are particularly tied to several species of sagebrush (Wyoming big sagebrush (*Artemisia tridentata wyomingensis*), mountain big sagebrush (*A. t. vaseyana*), and basin big sagebrush (*A. t. tridentata*)). Because of the dependence of sage-grouse on sagebrush, they are rarely found outside of this habitat type (typically limited to periods of migration).

#### Public Information Solicited

We are conducting a review of the status of the species after making a 90-day finding that the petitions provided substantial information indicating that listing the sage-grouse may be warranted. We are requesting

information primarily concerning the species' population status and trends, potential threats to the species, and ongoing management measures that may be important with regard to the conservation of the greater sage-grouse throughout the contiguous United States.

Previously submitted comments for this status review need not be resubmitted. If you wish to comment, you may submit your comments and materials concerning this finding to the Field Supervisor (*see ADDRESSES* section). Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Respondents may request that we withhold a respondent's identity, as allowable by law. If you wish us to withhold your name or address, you must state this request prominently at the beginning of your comment. 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 90-day finding and the status review of the sage-grouse, will be available for inspection, by appointment, during normal business hours, in our Wyoming Fish and Wildlife Office at the above address.

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

Dated: July 2, 2004.

**Steve Williams,**

*Director, Fish and Wildlife Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 224

[I.D. 040704A]

#### Endangered Fish and Wildlife; Advance Notice of Proposed Rulemaking (ANPR) for Right Whale Ship Strike Reduction; Extension of Public Comment Period; Notice of Public Meetings

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

**ACTION:** Notice of public meetings and extension of public comment period.

**SUMMARY:** NMFS is conducting public meetings along the Atlantic coast in association with an ANPR published June 1, 2004, which provided that NMFS is considering regulations to implement a strategy to reduce mortalities to North Atlantic right whales as a result of vessel collisions. The public, as well as Federal, state, and local agencies are encouraged to participate in these meetings. In addition, to ensure the public has adequate time to review and comment on the ANPR, NMFS is extending the comment period on the ANPR until September 15, 2004.

**DATES:** Written and electronic comments on the ANPR must be received (*see ADDRESSES*) no later than 5 p.m. Eastern Standard Time on September 15, 2004. The public meetings will be held in July and August 2004. *See SUPPLEMENTARY INFORMATION* for specific dates, times, and locations.

**ADDRESSES:** Comments should be sent to: Chief, Marine Mammal Conservation Division, Attn: Right Whale Ship Strike Strategy, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. Comments may be sent via fax to (301)427-2522, Attn: Right Whale Ship Strike Strategy. Comments may also be sent via email to [shipstrike.comments@noaa.gov](mailto:shipstrike.comments@noaa.gov) or to the Federal eRulemaking portal: <http://www.regulations.gov> (follow instructions for submitting comments).

The June 1, 2004, ANPR may be obtained at [www.nmfs.noaa.gov/pr/](http://www.nmfs.noaa.gov/pr/) under the 'Recent News and Hot Topics' link. Using the drop-down menu, the link 'Ship Strike Strategy' provides access to the ANPR, as well as links to background and supporting documentation related to the proposed strategy.

**FOR FURTHER INFORMATION CONTACT:**

Aleria Jensen, Fishery Biologist, Office of Protected Resources, NMFS, at (301) 713-2322; Pat Gerrior, Fishery Biologist, Northeast Regional Office, NMFS, at (508) 495-2264; or Barb Zoodsma, Fishery Biologist, Southeast Regional Office, NMFS, at (904) 321-2806.

**SUPPLEMENTARY INFORMATION:**

This document provides additional opportunity for public involvement in the development and implementation of a strategy to address the lack of recovery of the endangered North Atlantic right whale by reducing the likelihood and threat of ship strike mortalities to the species. The strategy is described in greater detail in the ANPR published June 1, 2004 (69 FR 30857). In summary, it is a multi-faceted plan that includes potential routing changes, speed reductions, and the use of dynamic management areas as proposed operational measures. In association with the comment period on the ANPR, NMFS is holding five public meetings to present the strategy and solicit information on the development and implementation of the proposed new operational measures. In addition, the agency intends to convene a series of smaller focal group meetings through its regional Right Whale Recovery Implementation Teams to discuss specific stakeholder questions and concerns. Comments received during the ANPR comment period and in associated meetings will assist the agency in subsequent rulemaking decisions about using this methodology to reduce the threat of ship collisions to right whales.

**Schedule of Public Scoping Meetings**

The dates, times, and locations of the meetings are scheduled as follows:

1. Tuesday, July 20, 2004, 3 to 6 p.m.  
Tip O'Neill Federal Building, Rm 335  
A & B, 10 Causeway Street, Boston, MA 02222.
2. Wednesday, July 21, 2004, 3 to 6 p.m.  
Jersey City-Newport Courtyard  
Marriot, 540 Washington Blvd, Jersey City, NJ 07310.
3. Monday, July 26, 2004, 3 to 6 p.m.  
Hilton Riverside Wilmington, 301 N. Water Street, Wilmington, NC 28401.
4. Tuesday, July 27, 2004, 3 to 6 p.m.  
Radisson Riverwalk Hotel, 1515 Prudential Drive, Jacksonville, FL 32207-8133.
5. Tuesday, August 3, 2004, 3 to 6 p.m.  
NOAA Headquarters Science Center, 1315 East West Highway, Silver Spring, MD 20910.

NMFS is also extending the comment period on the ANPR through September 15, 2004, to include public input at the public meetings and to give the public

time to comment after attending the meetings.

**Special Accommodations**

These meetings are physically accessible to people with disabilities. Request for sign language interpretation or other auxiliary aids should be directed to Aleria Jensen at 301-713-2322.

**Laurie K. Allen,**

*Director, Office of Protected Resources,  
National Marine Fisheries Service.*

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Parts 300 and 679**

[Docket No. 040607171-4171-01; I.D. 051804C]

**RIN 0648-AR88**

**Pacific Halibut Fisheries; Subsistence Fishing**

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes regulations to amend the subsistence fishery rules for Pacific halibut in waters off Alaska. These regulations are necessary to address subsistence halibut management concerns in densely populated areas. This action is intended to be consistent with the conservation and management provisions of the Northern Pacific Halibut Act of 1982 (Halibut Act) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

**DATES:** Comments must be received no later than August 9, 2004.

**ADDRESSES:** Send comments to Sue Salveson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, Attn: Lori Durall. Comments may be submitted by:

- Mail: P.O. Box 21668, Juneau, AK 99802.
- Hand Delivery to the Federal Building: 709 West 9th Street, Room 420A, Juneau, AK.
- FAX: 907-586-7557.
- E-mail: [SUBH-0648-AR88@noaa.gov](mailto:SUBH-0648-AR88@noaa.gov). Include in the subject line of the e-mail the following document identifier: Subsistence

Halibut RIN 0648-AR88. E-mail comments, with or without attachments, are limited to 5 megabytes.

• Webform at the Federal eRulemaking Portal:

[www.regulations.gov](http://www.regulations.gov). Follow the instructions at that site for submitting comments.

Send comments on collection-of-information requirements to the same address and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503 (Attn: NOAA Desk Officer).

Copies of the categorical exclusion (CE) and regulatory impact review (RIR) prepared for this action and the environmental assessment (EA) prepared for the original subsistence halibut action (68 FR 18145, April 15, 2003) are available from NMFS at the above address or by calling the Sustainable Fisheries Division, Alaska Region, NMFS, at 907-586-7228.

**FOR FURTHER INFORMATION CONTACT:**

Bubba Cook, 907-586-7425 or [bubba.cook@noaa.gov](mailto:bubba.cook@noaa.gov).

**SUPPLEMENTARY INFORMATION:****Background and Need for Action**

Management of the Pacific halibut (hereafter halibut) fishery in and off Alaska is based on an international agreement between Canada and the United States. This agreement, titled the "Convention Between United States of America and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea" (Convention), was signed at Ottawa, Canada on March 2, 1953, and amended by the "Protocol Amending the Convention," signed at Washington, D.C., March 29, 1979. The Convention, administered by the International Pacific Halibut Commission (IPHC), is given effect in the United States by the Halibut Act.

Generally, the IPHC develops fishery management regulations governing the halibut fisheries and makes recommendations to the U.S. Secretary of State. When approved, NMFS publishes these regulations in the **Federal Register** as annual management measures. NMFS published the current annual management measures March 7, 2003 (68 FR 10989).

The Halibut Act also provides for the North Pacific Fishery Management Council (Council) to develop halibut fishery regulations, including limited access regulations, in its geographic area of concern that would apply to nationals or vessels of the U.S. (Halibut Act, section 773(c)). Such an action by the Council is limited only to those regulations that are in addition to and