

MEMORANDUM

TO: Council, SSC and AP Members

FROM: Chris Oliver
Executive Director

DATE: May 4, 2004

SUBJECT: Seabird EFP

ESTIMATED TIME 1 HOUR

ACTION REQUIRED

Receive a request from the Washington Sea Grant Program for an Exempted Fishing Permit to test weighted groundlines as a seabird avoidance measure, and provide comments to NMFS as appropriate.

BACKGROUND

NMFS has received an application from the Washington Sea Grant Program for an Exempted Fishing Permit (EFP) to test the effectiveness of integrated weight groundlines as a seabird avoidance measure. NMFS in turn has notified the Council of this application, and seeks Council comments (see Item D-4(e)(1)). The notice of receipt of this application for an EFP has recently been published in the Federal Register (Item D-4(e)(2)).

The proposed research would use freezer-longline vessels fishing for Pacific cod in the BSAI. The experimental approach is to test several different weights of groundlines and to compare their performance (fish catch rates, seabird behavior, sinking rate, etc.) against unweighted conventional longline gear, with and without paired streamers. Streamers are required while fishing with longline gear on vessels larger than 55 feet LOA, and thus an EFP is required to waive this requirement during the proposed tests. NMFS-certified observers or NMFS observer personnel will be on board all vessels testing this gear.

Representatives from Washington Sea Grant Program will present additional information and will be available to answer questions.



**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration**

*National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668*

AGENDA D-4(e)(1)
JUNE 2004

May 18, 2004

RECEIVED

MAY 21 2004

N.P.F.M.C.

Stephanie Madsen, Chair
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, Alaska 99501

Dear Madam Chair:

We have received an application from Edward Melvin, Washington Sea Grant Program, for an Exempted Fishing Permit (EFP). If awarded, this permit would be used to conduct an experiment to evaluate the effectiveness of a potential seabird avoidance measure, integrated weight groundline in the fall 2004 Pacific cod hook-and-line fishery in the Bering Sea and Aleutian Islands Management Area (BSAI). The application calls for testing weighted groundlines against unweighted groundlines, with and without paired streamer lines. This proposed effort follows up on work that was completed in Alaska in 2002 and compliments efforts taking place in other fisheries. Information from this experiment could ultimately result in better and more effective seabird avoidance measures. The industry appears especially interested in this experiment, because it may provide them better tools by which to avoid the incidental catch of the endangered short-tailed albatross and other seabird species. There may be additional merit in a potential for improved fishing efficiency with better gear handling characteristics and increased target catch rates resulting from getting baited hooks down more quickly. The U.S. Fish & Wildlife Service issued a Biological Opinion (September 2003) that includes a conservation recommendation for NMFS to support research efforts to develop new and novel deterrent technologies such as integrated weight groundlines. This experiment would fulfill such a recommendation.

Regulations governing the groundfish fisheries of the BSAI appear at 50 CFR parts 600 and 679. The FMP and the implementing regulations at §§ 679.6 and 600.745(b) authorize the issuance of EFPs to allow fishing that would otherwise be prohibited. Procedures for issuing EFPs are contained in the implementing regulations. Regulations at 50 CFR §679.24(e)(4)(ii)(c) require the use of paired streamer lines by vessels greater than 55 ft (16.8 m) length overall. Thus, an EFP is necessary to conduct the experimental control treatments that call for the experimental gear to be deployed in the absence of paired streamer lines, to allow fishing in a way that would otherwise be prohibited.

Under regulations at § 679.6, we have consulted with the Alaska Fisheries Science Center, and have determined that the application contains all the information necessary to judge whether the proposal constitutes a valid fishing experiment appropriate for further consideration. We are initiating consultation with the North Pacific Fishery Management Council (Council) by forwarding the application to you as required by regulations. We understand that you have tentatively scheduled Council review in June 2004 of the attached application.



Please notify Mr. Melvin of your receipt of the application and invite the applicant to appear before the Council in June in support of the application. We will publish a notice of the receipt of the application in the Federal Register with a brief description of the proposal. Enclosed is a copy of Mr. Melvin's application.

Sincerely,



James W. Balsiger
Administrator, Alaska Region

Enclosure

Cc: Kevin Duffy, ADFG
Gregory Busch, USCG



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
 National Marine Fisheries Service
 Alaska Fisheries Science Center
 7600 Sand Point Way NE, Bldg 4
 Seattle, WA 98133-6349

May 17, 2004

MEMORANDUM FOR: James W. Balsiger, Regional Administrator, Alaska Region

FROM: James M. Coe, Acting Science and Research Director, Alaska Region

SUBJECT: The University of Washington Sea Grant Program's Application for an Exempted Fishing Permit to Test the Performance of Integrated Weight Longlines on Reducing Seabird Incidental Catch

Gary Stauffer on our staff has reviewed the May 14, 2004 draft application from Edward F. Melvin, University of Washington Sea Grant Program, for an Exempted Fishing Permit (EFP) to test the performance of integrated weight longline gear to reduce seabird incidental take. The EFP is needed because the experiment tests performance among three treatments with and without the paired streamer lines required by 50 CFR part 679.24(e). The work will be conducted on two freezer longline vessels fishing the Bering Sea/Aleutian Island open access cod fishery, beginning in August 15, 2004, and throughout the fall.

The proposal will compare catch rates of all taxa, abundance and behavior of seabirds, and the sink rate of groundlines among three mitigation treatments using a random block design. Basic catch information will be recorded by NMFS-certified observers or Observer Program staff. Standard observer sampling protocols will be used where appropriate. Additional data collections use protocols developed during Mr. Melvin's previous EFP's to test the effectiveness of mitigation gear. Mr. Melvin, the principle investigator on this application, has been in communication with members of our observer program, and the research will be an industry-university collaboration supported as well by staff from the AFSC.

Because this is an open access fishery, no special considerations are necessary regarding the estimated catch and disposition of that catch. Standard observer data will be supplied inseason as usual. Special provisions are made that ensure seabird avoidance gear is deployed if short-tailed albatross are sighted just before or during a set, regardless of which treatment was assigned. Thus, the work to be conducted under this permit will not be detrimental to living marine resources. The data collected and reports of the research will be provided to the NMFS, USFWS, and relevant state agencies. Although vessel selection has not occurred yet, there are a pool of vessels to select from for conducting the experiments described and for supporting the scientific personnel. Once the vessels are selected, Mr. Melvin will transmit the necessary vessel information to your office in time to provide notification to all interested parties.

Based on this review with respect to regulations of 50 CFR part 679.6, I have concluded that the application contains all the information



requirements for an EFP and that the proposed research constitutes a valid fishing experiment appropriate for your further consideration for issuance of an EFP.

Attachments

cc: G. Stauffer
S. Fitzgerald
R. Marasco
T. Clancy
D. DeMaster
K. Rivera

Dr. Jim Balsiger
Director, Alaska Region
National Marine Fisheries Service
P.O. Box 21668
Juneau, AK 99802

May 14, 2004

**RE: Exempted Fishing Permit Application to Test Effectiveness
of Seabird Avoidance Measures**

Dear Jim:

The Washington Sea Grant Program (WSGP) hereby submits for your consideration an application for an Exempted Fishing Permit (EFP), in compliance with the requirements set forth at 50 CFR Part 679.6. It is our aim to determine the effectiveness of integrated weight line (IW) as a seabird avoidance measure – continuing the research we began in 1999 – 2000 - as ordered by the USFWS BiOp on short-tailed albatrosses.

The research plan involves two freezer-longliners fishing in the regular fall fishery for cod, beginning August 15, 2004, and continuing until the end of the season. They will test the performance of weighted and unweighted groundlines, with and without paired streamer lines. We request an exemption from the deployment of streamer lines while setting gear as required at 50 CFR Part 679.24 (e)(4)(ii)(C), to last for the duration of the experiment. It is important to note that there is no allocation of cod or other species to the vessels – they will simply be operating in the open access fishery.

In accordance with the EFP regulations we have provided the information required. We thank you for considering our application, and apologize for the late request. The EFP request will be on the agenda for the June meeting of the North Pacific Fishery Management Council, and Kim Dietrich of our office will be available to answer questions.

Sincerely,

Edward F. Melvin (TF)

Edward F. Melvin

Washington Sea Grant Program

Washington Sea Grant Program's Test of Seabird Avoidance Measures. May 2004

1. Date of Application

May 14, 2004

2. Name, mailing address, and telephone number of applicant

Edward F. Melvin
Washington Sea Grant Program
University of Washington
3716 Brooklyn Ave, NE
Seattle, WA 98105
(206) 543-9968

3. Purpose and Goals of the EFP

The purpose of the Washington Sea Grant Program's (WSGP) EFP is to assure that the work conducted under the seabird incidental take reduction program is in compliance with Federal fishery regulations for the commercial fisheries off Alaska. The objective of the research is to test the effectiveness of integrated weight groundline (IW) at sinking the gear beyond the reach of seabirds, thereby reducing seabird incidental catch. IW sinks 2.5 times faster than unweighted groundline, and has proved highly effective in Southern Hemisphere experimental fishery trials. Specifically, we request an exemption from the requirement that streamer lines be used at all times when setting baited hooks. We will need to set IW and unweighted groundlines without streamer lines to determine the effectiveness of the IW. Participants will retain all groundfish catches in accordance with the directed fishing standards, and will dispose of same through normal commercial channels. NOTE that there is no allocation of fish to specific vessels – participants will be operating in the commercial fishery, fishing against TAC, subject to PSC constraints.

4. Technical Details About the Experiment

(i) Again, the participants in the experiment will be fishing against TAC and PSC limits, in the normal commercial fishery – there is no

allocation involved. Consequently, the amounts of each species taken is irrelevant. The following estimates are deliberately high, so the vessels will not be constrained in their fishing operations:

Amounts of Each Species to Be Harvested

Round Weight in mt	Each Vessel(mt)	Both Vessels (mt)
Cod	1,306	2,612
Halibut	156	312
Arrowtooth Flounder	72	144
Flathead Sole	12	24
Yellowfin Sole	10	20
Sculpin	10	20
Skates	182	364
Pollock	6	12
Total Groundfish	1,754	3,508
Tanner Crabs	3,600 count	7,200 count
*Halibut Mortality @ 11%	17.2 mt	34.4 mt

(ii) Area will be the Bering Sea/Aleutian Islands Area (BSAI), August 15, 2004 until the end of the fishery. In the event we are not able to collect sufficient data to complete the experiments in 2004, we request that this EFP extend through calendar year 2005.

(iii) Vessels and gear to be used - Two freezer-longliners, using standard longline gear with autobaiters. Vessel names to be provided.

(iv) Experimental Design – Please see attached research plan.

(v) WSGP will produce a final report.

(vi) No impacts are expected on marine mammals. Work conducted under this EFP is not likely to adversely effect any ESA-listed species or adversely modify their critical habitat. The applicant will complete the ESA section 7 consultation process with USFWS. Because no take of ESA-listed species is anticipated, we understand that it is

inappropriate to issue an ESA Section 10 research permit (USFWS, Greg Balogh, pers. Comm.). If an interaction between a short-tailed albatross (STAL) and the gear appears imminent, measures to avoid interaction will immediately be undertaken (deploy streamer lines, distract with offal, etc.). In the highly unlikely event that a STAL were taken, the applicant would immediately stop the experiment and notify officials at USFWS and NMFS of the need to reinitiate consultation.

5. Willingness to Carry Observers, Accommodations, Work Space

The research plan provides that vessels must be willing to carry observers, with adequate accommodations and work space and will comply fully with groundfish observer program regulations at 50 CFR Part 679.50. No vessel will be selected that does not meet these requirements. Details will be provided when vessels are selected.

6. Coordinating Parties

Edward F. Melvin (TF)

Edward F. Melvin, Marine Fisheries Specialist
Washington Sea Grant Program
University of Washington
3716 Brooklyn Ave., NE
Seattle, WA 98105
(206) 543-9968

7. Vessel Information

(i) – (vii) To be provided before permit is issued.

(viii) The fishing will take place from August 15, 2004, until the end of the season (TAC or halibut PSC is taken); the place will be the BSAI. Standard commercial longline gear will be employed.

8. Signature of Applicant

Edward F. Melvin (TF)

Edward F. Melvin
Washington Sea Grant Program

Integrated Weight (IW) Groundline Evaluation: In 2002, four weightings of IW line (25g/m, 50g/m, 75g/m and 100 g/m) were compared to a control of no deterrent in the sablefish fishery in the Aleutian Islands and the Pacific cod fishery in the Gulf of Alaska. Preliminary results strongly suggest that 50g/meter line was the optimal IW weighting. It was the most practical gear in terms of operational performance in auto-bait longline systems and it sank quickly beyond the range of seabirds.

Based on these initial results, WSGP will continue this work by comparing the catch rates of all taxa, the abundance and behavior of seabirds and the sink rate of groundlines among three mitigation treatments: 50g/meter IW groundline, and un-weighted groundlines with and without paired streamer lines. Work will take place on two longline vessels using mechanical baiting systems (auto-bait) in the Pacific cod fishery in the Aleutian Islands / Bering Sea regions during the Fall of 2004. The three mitigation treatments will be fished according to a random block design for the entire season. Daylight non-streamer line deployments will be made with a measuring line (80 meter line marked every 10 meters) deployed from one side of the vessel. Physical variables including wind speed and direction, current speed and direction, Beaufort Sea state, swell height, as well as time and date will be recorded for each set.

For approximately the first 30 days of the fishery, vessels will set 50% of the gear during daylight hours to allow for seabird observations during gear deployment. During this time, two NMFS-certified groundfish observers paid for by the project will be placed on each vessel. This level of staffing is necessary to collect data during both the haul and during the set in a 24 hour fishing operation. Providing cooperating vessels with observer coverage during the research activity compensates the vessel for altering fishing strategy due to the experimental design. Observers with extensive longline experience will be contracted through Alaska Observers Inc. Each vessel will also be provided with integrated weight line by the project so as half the gear available for deployments is IW gear. This gear will remain the property of the vessel at the end of the trials as a further incentive to cooperating vessels. Cooperating vessels will purchase at least two magazines of new un-weighted control gear to compare wear and strength of new control and new IW lines at completion of the study.

Observers will record data on CPUE of all species during the haul, and seabird abundance and seabird attack rates as the gear is deployed. Sink rates of the gear will also be determined periodically in this first month. The number of seabird attacks on baited hooks will be quantified by species and distance astern to the nearest ten meters for a ten minute period for each of the three treatments. Observers will alternate attack rate samples to minimize fatigue. However, if Short-tailed Albatross (STAL) are observed immediately before or during the set, and if interaction between STAL and gear appears imminent, measures will be taken immediately to avoid an interaction (e.g. deploy paired streamer lines, distract with offal, etc.) for the duration of that deployment.

Groundline sink rates will be measured using time-depth recorders (TDR's; Wildlife Computers MK9's). These data will be used to estimate the distance astern at which the groundline reaches 2 meters (sink profile). The focus on sink rate to 2 meters is based on

the diving capability of most seabirds taken in Alaska longline fisheries. Albatrosses, Northern Fulmars and gulls (*Laridsz0*, are the most common seabirds interacting with Alaska longline fisheries and exploit baits within 2 meters of the surface (Melvin et al. 2001).

After the first month, until the end of the fishing season, each of the same two vessels will carry a single observer paid for by the vessel. During this time they will continue to set all three mitigation treatments according to a randomized block design, but with no constraints on when in the day deployments are made. The observer will sample the haul according to North Pacific Groundfish Observer Program protocols for each of the three mitigation treatments yielding CPUE data for all taxa. They will also document the wear and performance of IW lines compared to un-weighted Fiskevegn Silverline (the current auto-bait industry standard). Controls of no deterrent will be discontinued in consultation with the USFWS, NOAA fisheries, and industry after the first month if seabird bycatch becomes excessive. CPUE, attack rate and seabird abundance data will be compared by mitigation treatment using standard parametric statistical techniques. Seabird bycatch rates will be compared using Generalized Linear Modeling techniques.

WSGP has several other collaborators in investigations associated with seabird bycatch research, which are not associated with the U.S. Fish and Wildlife Service or with our current cooperative agreement between the Service and WSGP. These include the North Pacific Longline Association, the National Marine Fisheries Service, the Australian Antarctic Division, A.S. Fiskevegn, and RENA International. Execution of this project is contingent on the cooperation of the North Pacific Longline Association and unaffiliated auto-bait longline vessels. Protocols may be amended to address operational constraints identified by cooperating vessels.

special significance for marine mammals occur within or near south VAFB harbor. This activity is expected to result in no more than a negligible impact on the affected species or stocks.

Endangered Species Act (ESA)

This action will not affect species listed under the Endangered Species Act (ESA) that are under the jurisdiction of NMFS. VAFB formally consulted with U.S. Fish and Wildlife Service (FWS) in 1998 on the possible take of southern sea otters during Boeing's harbor activities at south VAFB. A Biological Opinion was issued in August 2001. FWS recognized that Boeing will restore sea otter habitat (i.e., kelp beds) in the vicinity of the harbor to replace kelp destroyed during dredging and stated that there would not be takes of southern sea otters. In addition, the FWS noting that VAFB has committed to a southern sea otter monitoring program designed to detect the presence and possible disturbance at the VAFB harbor area during dredging activities (see 68 FR 36540, June 18, 2003).

National Environmental Protection Act (NEPA)

ENSR International (ENSRI) made a Finding of No Significant Impact (FONSI) determination on August 15, 2001, based on information contained within its Environmental Assessment (EA), that implementation of the subject action is not a major Federal action having significant effects on the environment within the meaning of Executive Order 12114. ENSRI determined therefore, that an environmental impact statement would not be prepared. On April 7, 2004 (69 FR 18353), NMFS noted that ENSRI had prepared an EA for the VAFB harbor activities and made this EA available upon request. In accordance with NOAA Administrative Order 216-6 (Environmental Review Procedures for Implementing the National Environmental Policy Act, May 20, 1999), NMFS has reviewed the information contained in ENSRI's EA and determined that the ENSRI EA accurately and completely describes the proposed action alternative, reasonable additional alternatives, and the potential impacts on marine mammals, endangered species, and other marine life that could be impacted by the preferred alternative and the other alternatives. Therefore, it is not necessary to issue a new EA, supplemental EA or an environmental impact statement for the issuance of an IHA to Boeing for this activity. Based on this review and analysis, NMFS is adopting the ENSRI EA under 40 CFR

1506.3 and has made its own FONSI. A copy of the ENSRI EA and the NMFS FONSI for this activity is available upon request (see ADDRESSES).

Authorization

NMFS has issued an IHA to take marine mammals, by harassment, incidental to conducting harbor activities at VAFB to Boeing for a 1-year period, provided the mitigation, monitoring, and reporting requirements are undertaken.

Dated: May 19, 2004.

Stephen L. Leathery,
*Acting Director, Office of Protected Resources,
National Marine Fisheries Service.*
[FR Doc. 04-11801 Filed 5-24-04; 8:45 am]
BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 051904A]

Pacific Fishery Management Council; Public Meeting

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

ACTION: Notice of public meeting.

SUMMARY: The Pacific Fishery Management Council's (Council) Ad Hoc Groundfish Trawl Individual Quota Analytical Team (TIQ Analytical Team) will hold a working meeting, which is open to the public.

DATES: The TIQ Analytical Team working meeting will begin Tuesday, June 8, 2004 at 8:30 a.m. and may go into the evening until business for the day is completed. The meeting will reconvene from 8 a.m. and continue until business for the day is complete on Wednesday, June 9, 2004.

ADDRESSES: The meeting will be held at The University Inn, Orcus Room, 4140 Roosevelt Way NE, Seattle, WA 98105; telephone: (206) 632-5055.

Council address: Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 200, Portland, OR 97220-1384.

FOR FURTHER INFORMATION CONTACT: Mr. Jim Seger, Staff Officer (Economist); telephone: (503) 820-2280.

SUPPLEMENTARY INFORMATION: The purpose of the TIQ Analytical Team meeting is to conduct preliminary scoping on the types impacts to be considered and analytical methods used in a groundfish trawl dedicated access privilege Environmental Impact

Statement. Related data collection issues will also be discussed. A panel of independent advisors has been invited to work with the TIQ Analytical Team on these issues during the meeting.

Although non-emergency issues not contained in the TIQ Analytical Team meeting agenda may come before the group for discussion, those issues may not be the subject of formal committee action during these meetings. TIQ Analytical Team action will be restricted to those issues specifically listed in this notice and to any issues arising after publication of this notice requiring emergency action under Section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the group's intent to take final action to address the emergency.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Ms. Carolyn Porter at (503) 820-2280 at least 5 days prior to the meeting date.

Dated: May 20, 2004.

Matteo J. Milazzo,
*Acting Director, Office of Sustainable
Fisheries, National Marine Fisheries Service.*
[FR Doc. 04-11803 Filed 5-24-04; 8:45 am]
BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I. D. 052004C]

Fisheries of the Exclusive Economic Zone Off Alaska; Application for an Exempted Fishing Permit

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

ACTION: Notice of receipt of an application for an exempted fishing permit.

SUMMARY: NMFS has received an application for an exempted fishing permit (EFP) from the Washington Sea Grant Program (WSGP). If granted, this EFP would authorize the applicant to conduct an experiment to evaluate the integrated weight groundline as a potential seabird avoidance measure in the fall 2004 Pacific cod hook-and-line fishery in the Bering Sea and Aleutian Islands Management Area (BSAI). The project is intended to promote the objectives of the Fishery Management Plan for the Groundfish Fishery of the

Bering Sea and Aleutian Islands Area (FMP) by reducing fishery interactions with the endangered short-tailed albatross (*Phoebastria albatrus*) and other seabird species.

ADDRESSES: Copies of the EFP application may be requested from Sue Salvesson, Assistant Regional Administrator for Sustainable Fisheries, Alaska Region, NMFS, Attn: Lori Durall by: mail to P. O. Box 21668, Juneau, AK 99802; fax to 907-586-7557; or email to Lori.Durall@noaa.gov.

FOR FURTHER INFORMATION CONTACT: Kim Rivera, 907-586-7424 or Kim.Rivera@noaa.gov.

SUPPLEMENTARY INFORMATION: NMFS manages the domestic groundfish fisheries in the BSAI under the FMP. The North Pacific Fishery Management Council (Council) prepared the FMP under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). Regulations governing the groundfish fisheries of the BSAI appear at 50 CFR parts 600 and 679. The FMP and the implementing regulations at §§ 679.6 and 600.745(b) authorize the issuance of EFPs to allow fishing that would otherwise be prohibited. Procedures for issuing EFPs are contained in the implementing regulations.

NMFS received an application for an EFP from the WSGP. The purpose of this EFP is to authorize experimental fishing using integrated weight groundline to evaluate its effectiveness as a potential new seabird avoidance measure. The application calls for testing integrated weight groundlines against unweighted groundlines, with and without paired streamer lines. This proposed effort follows up on work that was completed in Alaska in 2002, and compliments efforts taking place in other fisheries. Information from this experiment could ultimately result in better and more effective seabird avoidance measures. The hook-and-line fishing industry appears especially interested in this experiment, because it may provide them a better tool with which to avoid the incidental catch of the endangered short-tailed albatross and other seabird species. In addition, potential exists for improved fishing efficiency with better gear handling characteristics and increased target catch rates resulting from getting baited hooks down more quickly. The U.S. Fish and Wildlife Service issued a Biological Opinion (September 2003) that includes a conservation recommendation for NMFS to support research efforts to develop new and novel deterrent technologies such as integrated weight groundlines. This

experiment would fulfill such a recommendation.

The goal of the experiment is to reduce the incidental catch of the endangered short-tailed albatross and other seabird species in ways that are consistent with Magnuson-Stevens Act National Standard 9 which requires conservation and management measures to minimize bycatch and bycatch mortality and that the effects on birds should be considered when selecting these measures. A preliminary WSGP investigation in 2002 evaluated four weightings of integrated weight groundline (25, 50, 75, and 100 g/m). The four weighting treatments were compared to a control of unweighted groundline in the sablefish fishery in the Aleutian Islands and the Pacific cod fishery in the Gulf of Alaska. Preliminary results strongly suggest that 50 g/m line was the optimal weighting. It was the most practical gear in terms of operational performance in mechanical baiting (auto-bait) longline systems and it sank quickly beyond the range of seabirds.

Based on these initial results, WSGP proposes to continue this work by comparing the catch rates of all species, the abundance and behavior of seabirds, and the sink rate of groundlines under three scenarios: 50 g/m integrated weight groundline, and un-weighted groundlines with and without paired streamer lines. Regulations at 50 CFR § 679.24(e)(4)(ii)(c) require the use of paired streamer lines by vessels greater than 55 ft (16.8 m) length overall. Thus, an EFP is necessary to conduct the experimental control treatments that call for the experimental gear to be deployed in the absence of paired streamer lines, to allow fishing in a way that would otherwise be prohibited. Work will take place on two freezer-longliner vessels using auto-bait systems in the Pacific cod fishery in the BSAI during the fall of 2004, and during 2005, if unforeseen circumstances prohibit completion of the work in 2004.

In accordance with § 679.6, NMFS has determined that the application warrants further consideration and has initiated consultation with the Council by forwarding the application to the Council for consultation. The Council will consider the application during its June 9-15, 2004, meeting which will be held at the Benson Hotel in Portland, Oregon. While the applicant has been invited to appear in support of the application, all interested parties may comment on the application at the meeting during public testimony.

The vessels that would conduct the experimental fishing were not identified on the application, but will be identified

on the EFP, once they have been selected for the project. The NMFS Regional Administrator may consider and attach additional terms and conditions to the EFP that are consistent with the purpose of the experiment. Public comment may help determine such conditions.

A copy of the application is available for review from NMFS (see ADDRESSES).

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

Dated: May 20, 2004.

Tracey L. Thompson,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. E4-1208 Filed 5-24-04; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF DEFENSE

Department of the Army

Notice of Availability (NOA) for the Final Environmental Impact Statement (EIS) for the Transformation of the 2nd Brigade, 25th Infantry Division (Light) to a Stryker Brigade Combat Team (SBCT) in Hawaii

AGENCY: Department of the Army, DoD.

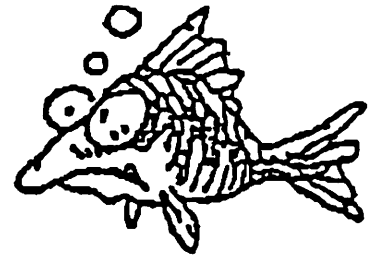
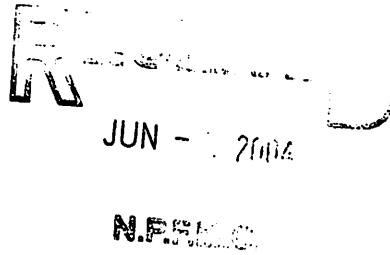
ACTION: Notice of Availability.

SUMMARY: The Proposed Action includes training to be conducted at Schofield Barracks Military Reservation (SBMR), Dillingham Military Reservation, Kahuku Training Area and Kawaihoa Training Area on the island of Oahu and at Pōhakuloa Training Area on the island of Hawaii. Twenty-eight projects are proposed that would improve the existing support structure and facilities to provide the necessary field training required for an SBCT. These projects include construction of ranges, airfield upgrades, land acquisition, and new equipment such as new and modernized vehicles (namely the Stryker, an eight-wheeled, 20-ton combat vehicle) and weapons systems (105mm cannon, 155 mm howitzer, and 120mm mortar). The number of soldiers and vehicles stationed at SBMR also would increase. The Army would acquire land on the island of Oahu (approximately 1,400 acres) and on the island of Hawaii (approximately 23,000 acres) for training areas and road construction.

DATES: The waiting period for the Final EIS will end 30 days after publication of the NOA in the Federal Register by the U.S. Environmental Protection Agency.

ADDRESSES: Direct questions and/or written comments regarding the Final EIS to, or a request for a copy of the document from, Ms. Cindy Barger, U.S. Army Corps of Engineers, Honolulu

**North
Pacific
Longline
Association**



Date: June 1, 2004 D-4(e)
To: NPFMC
From: Thorn Smith
Subject: START II – Lost in Translation
Pages: 3

THE GOD SQUAD ASSEMBLED late last Monday afternoon at the Yamashina Ornithological Institute near Kashiwa, Japan. The Institute, nestled in a grove of bamboo and deciduous trees, exuded that sort of seedy self-confidence born of association with royalty. Since the Meiji Restoration Japan's emperors and their issue have studied biology of one sort or another. Count Yamashina, ornithologist son of Prince Kikumaro Yamashina, established the Institute in 1905. Indeed our gaggle of albatross scientists from the U.S., Japan and Australia was awaiting a reception with His Imperial Highness Prince Akishino, current President of the Institute, who was late (his bodyguards were not, peering clumsily through bushes, over walls, around corners). This gave the Keeper of the Collection Room, a character straight out of Central Casting, a prime opportunity to show off his attic filled with about 69,000 specimens from all over the world nestled in mothballs (many strange and bizarre turn-of-the-century specimens – a jackalope would likely go unnoticed). You enter this place and your eyes water, your throat burns. He was attempting to show us each and every specimen when I opened one of hundreds of wide wooden drawers like nautical chart drawers, discovered it to be neatly filled with dead gophers. Central Casting rushed over and explained in animated fashion that the Institute had been greatly honored to receive the Marquis of Bugaloo's lifelong collection of voles (RIP). Noblesse oblige. He then launched into a long monologue on the ethics of using rocket nets to capture waders, but the Prince arrived and we were saved.

At the reception the Prince, fortysomething? with a tomboy haircut, proved to be relaxed, affable, chatty. His English was excellent, his demeanor was slightly removed (they reign, not rule), his taste was for fine French wine. Princess Unpronounceable was also in attendance – a part-time worker at the Institute and a student of insignificant warblers. As we all know the Prince earned his Ph.D by studying the molecular origami of junglefowl as they

morphed into domestic chickens. One of the originals was displayed in a large glass case. It had a beak and talons like an eagle, eight-foot tail feathers. I offered a silent prayer of thanks to the Prince and his colleagues for dumbing that hummer down – he'd have your fingers for lunch. After innumerable and nearly insufferable introductions, beer and heavy pu-pus were served, the inevitable gifts exchanged. One of their gifts to us was a wood veneer depiction of a short-tailed albatross by a Very Famous Artist. As luck would have it the artist himself was at hand, with ponytail and colorful antiestablishment dress. In the manner of artists everywhere he managed to convey, through an interpreter, that he had a lot more in the trunk of his car if anybody was interested.

The next day we got down to work – work on this day being more than you ever wanted to know about Breeding Population Size, Banding Updates, Artificial Colony Work, Satellite Telemetry, Population Modeling, Reclassification and Recovery Thresholds, Recovery Fund Acquisition and Hog Calling. Actually it was all quite interesting. And that was the easy part. The further agenda called for a lot of “open discussion” of the short-tailed albatross recovery program, which looked to Ed Melvin and me like a waste of time. We prevailed on the moderator to develop a specific set of Meeting Objectives, and to announce it for openers.

We spent the next three days working on the Meeting Objectives (significantly, working until 7:00 p.m. - well after the cocktail hour). As a grizzled veteran of many years of joint venture negotiations with the Japanese I advised our moderator to take plenty of breaks so the Japanese could interpret our statements, reach their own consensus. This slows things down, but the alternative is a lot of smiling and bowing, zero comprehension, two trains passing in the night. In the event we received an excellent powerpoint presentation from “natives” of the Bonin Islands some 350 klicks south of Torishima. Short-tails nested there in the past, some birds still visit, and it is thought that one of these islands would be the best place to establish a new breeding colony. The dudes from the islands were wry and likeable guys, self-described “Boninologists” from the “Institute of Boninology.” I asked Hiroshi Hasegawa if they were actually natives, and he said, “Naw, they're from central Tokyo.” Like a couple of Dagos from Texas. These folks probably can't say goodbye without opening a restaurant.

Moving right along we received a depressing report on how many breeding pairs must be established on three sites to have the animal de-listed under the ESA. My impression after START I was that all we had to do was transport chicks from Torishima to a new site or sites for a few years, and

Bob's your uncle. They say it isn't so. The longest trip starts with the first step, no?

We did achieve part of our objectives. We identified fifty recovery tasks, categorized them, discussed pros and cons, identified possible roadblocks, voted on priorities. We formed some subcommittees, gave the Japanese general information on recovery funds and how and when they can be spent. Significantly, we did not define tasks, estimate costs, establish timelines, or identify who would implement each task (many, obviously, must be implemented by the Japanese). These were the elements of greatest concern to me, and I expect to Ed. I will be weighing in heavily here.

On Friday evening Ed Melvin, Graham Robertson, Hiroshi Hasegawa and I beat feet for Tokyo and the Tuskiji fish market. Tom Asakawa of the U.S. Embassy was kind enough to take a room at our hotel and lead us through the market at 4:30 the next morning. Your tax dollars at work! The market is always amazing, always chaotic. They auction off giant bluefin tuna for the price of a luxury car. They have every kind of live fish imaginable, including some sort of carp that makes a noise like when you back your car over a fat person.

And a Great Silver Ball arose over the Tuskiji Market, and throughout the land there was a wailing and gnashing of teeth 'till the prophets bade the people get a grip on themselves and shape up.

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