

another way to control effort in the fishery.

4. *Days Out of the Herring Fishery*—Requirements for vessels to take days out of the herring fishery were included in the Herring FMP, but were not approved by NMFS for several reasons. The Commission implemented days out of the fishery in state waters through the Interstate FMP for herring and has found it to be an effective tool to slow the race to fish. For this reason, the Council may re-consider a program for days out of the Federal fishery. Such a program may be based on no-fishing days or no-landing days (as is currently in the Commission plan).

Management Area Boundaries

The recently-completed TRAC Assessment of the herring resource recommends, among other things, consideration of some adjustments to the existing management area boundaries for the herring fishery. The Council will consider these recommendations as well as other comments received during the scoping period regarding adjustments to existing herring management area boundaries.

Other Measures and Adjustments Under Consideration

Because of the new TRAC Assessment and other management issues that have emerged over the past 3 years, the Council may consider additional measures for development in this amendment.

1. *Transboundary Nature of the Resource and Interactions with Canadian Herring Fisheries*—The Council is seeking comments on more effective ways to address the transboundary nature of this resource. Specifically, the Council is seeking comments on interactions between U.S. herring management and the New Brunswick weir fishery, the southwest Nova Scotia herring fishery, and the Canadian fishery for herring on Georges Bank.

2. *Seine-only and/or Trawl-only Areas*—To reduce gear conflicts associated with the TACs and the race to fish, the Council may consider

establishing areas for fishing with purse seines and/or midwater trawls only.

3. *Clarification of the Definition of Midwater Trawl*—The Council may consider revising the regulatory definition of a midwater trawl to improve enforcement and clarify perceptions about the gear intended to be fished.

4. *Spawning Area Restrictions*—Spawning area restrictions were included in the Herring FMP, but were not approved by NMFS for several reasons. The Commission implemented spawning area restrictions through the Interstate FMP for herring. The Council is seeking comment on whether or not these restrictions should be re-considered in this amendment.

5. *Improved Coordination with Mackerel Management*—Mackerel is managed through the Mid-Atlantic Fishery Management Council's Squid/Mackerel/Butterfish FMP. The Council recognizes the overlap between the herring and mackerel fisheries and the need to better coordinate the management of these resources. The Council is seeking comments on how to better coordinate herring and mackerel management.

6. *Bycatch and Bycatch Monitoring*—The Council is seeking comments on measures to minimize bycatch and to better monitor the nature of bycatch in the herring fishery. This includes consideration of requirements for observer coverage in the fishery.

Scoping Process

All persons affected by or otherwise interested in herring management are invited to participate in determining the scope and significance of issues to be analyzed by submitting written comments (see **ADDRESSES**) or by attending one of the scoping hearings. Scoping consists of the range of actions, alternatives, and impacts to be considered. Alternatives include the following: not amending the management plan (taking no action), developing an amendment that contains management measures such as those discussed in this notice, or other reasonable courses of action. Impacts

may be direct, individual, or cumulative.

This scoping process will also identify and eliminate from detailed analysis issues that are not significant. When, after the scoping process is completed, the Council proceeds with the development of an amendment to the Herring FMP, the Council will prepare an SEIS to analyze the impacts of a range of alternatives under consideration. The Council will hold public hearings to receive comments on the draft amendment and on the analysis of its impacts presented in the SEIS.

Scoping Hearing Schedule

The Council will discuss and take scoping comments at public meetings as follows:

1. Monday, April 28, 2003, 7 p.m., Holiday Inn, 31 Hampshire Street, Mansfield, MA 02048. Telephone (508) 339-2200.

2. Tuesday, April 29, 2003, 7 p.m., Kings Grant Hotel, Trask Road, Route 128, Exit 21N, Danvers, MA 01923. Telephone (978) 774-6800.

3. Tuesday, May 6, 2003, 7 p.m., Samoset Resort and Conference Center, 220 Warrenton Street, Rockport, ME 04856. Telephone (207) 594-2511.

4. Monday, May 12, 2003, 7 p.m., Clarion Hotel and Conference Center, 6821 Black Horse Pike, Egg Harbor Township/Atlantic City West, NJ 08234. Telephone (609) 272-0200/(800) 782-9237.

Special Accommodations

The meetings are accessible to people with physical disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least 5 days prior to this meeting date.

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

Dated: April 9, 2003.

Richard W. Surdi,
Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.
[FR Doc. 03-9059 Filed 4-11-03; 8:45 am]

BILLING CODE 3510-22-S