

AT1 Group as Depleted

Information on AT1 population size included in the petition shows that this group of whales numbered 22 animals in 1984, with the last calf being born in that year. The group now numbers 9 animals; less than half the size of the population prior to the Exxon Valdez oil spill in 1989. Two adult males in the group have been confirmed dead in the last 2 years. The current composition includes only 4 females, 2 of which are reproductively senescent.

Using the definition of depleted described above (see Background) and assuming a conservative estimate of K at the historical abundance level of 22 animals, the petitioners suggested that the current abundance of 9 animals is below OSP (i.e., less than 60 percent of the historical abundance, which is 13 animals) and, therefore, that the AT1 group of killer whales is depleted.

The petitioners present several factors that they consider may be causes of the decline of the AT1 group: the Exxon Valdez oil spill; chemical contaminants; increased vessel traffic; and reduction in available prey species. Crude oil exposure could be a factor in the decline of AT1 whales as they were seen immediately after the 1989 Exxon Valdez spill swimming in the crude oil around the tanker. Chemical contamination may also play a role in their decline. Analysis of blubber samples from the male AT1 group member that died in 2000 showed very high levels of contaminants. The AT1 group may also be exposed to increasing underwater vessel noise as the number of vessels with access to Prince William Sound increases due to the recent road access to Whittier. Finally, the harbor seal population in Prince William Sound, one of the main prey items of the AT1 group, has declined substantially in the past, and recently harbor seal numbers have continued declining at about eight percent per year.

Status Review

As the initial task under the upcoming status review, NMFS must evaluate the information in the petition and other information related to whether or not AT1 killer whales are a separate population stock. If NMFS determines that the AT1 group is a separate stock, NMFS would then evaluate whether it is depleted under the MMPA. NMFS is aware of the information related to abundances in 1984 and the present and is not aware of additional information related to historical or current abundance. NMFS notes that the Marine Mammal

Commission has advised that the AT1 group should be recognized as a separate population stock and that it is below its MNPL.

Information Solicited

NMFS solicits comments and information related to this petition and the status of AT1 killer whales. NMFS is specifically interested in comments and additional information related to (1) the identification of AT1 killer whales as a population stock, (2) the historical or current abundance of this group, (3) factors that may be affecting the group, and (4) conservation measures that may promote their recovery.

Authority: Authority: 16 U.S.C. 1361 *et seq.*

Dated: January 17, 2003.

William T. Hogarth,

*Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 021213310-2310-01; I.D. 101702B]

RIN 0648-AP92

Individual Fishing Quota (IFQ) Program for Pacific Halibut and Sablefish; Revisions to Recordkeeping and Reporting Requirements

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes regulations to implement Amendment 72 to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (Amendment 72) and Amendment 64 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (Amendment 64) (collectively, Amendments 72/64). This action would revise certain recordkeeping and reporting requirements for the Individual Fishing Quota (IFQ) Program for fixed gear Pacific halibut and sablefish fisheries and the Western Alaska Community Development Quota (CDQ) Program for the Pacific halibut fishery. This action is necessary to improve IFQ fishing operations, while complying with IFQ

Program requirements; to improve NMFS' ability to efficiently administer the program; and to improve the clarity and consistency of IFQ Program regulations. This action is intended to meet the conservation and management requirements of the Northern Pacific Halibut Act of 1982 (Halibut Act) with respect to halibut and of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.*, (Magnuson-Stevens Act) with respect to sablefish and to further the goals and objectives of the groundfish Fishery Management Plans (FMPs).

DATES: Comments must be received at the following address no later than February 24, 2003.

ADDRESSES: Comments should be sent to Sue Salvesson, Assistant Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668, Attn: Lori Gravel-Durall) or delivered to the Federal Building, 709 West 9th Street, Room 401, Juneau, AK. Comments may be sent via facsimile to 907-586-7465. Comments will not be accepted if submitted via e-mail or the Internet. Copies of Amendment 72/64 of the FMPs and the Regulatory Impact Review/Initial Regulatory Flexibility Analysis (RIR/IRFA) prepared for this action may also be obtained from the same address, or by calling the Alaska Region, NMFS, at 907-586-7228. Send comments on collection-of-information requirements to NMFS, Alaska Region, and to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB), Washington, DC 20503 (Attn: NOAA Desk Officer).

FOR FURTHER INFORMATION CONTACT: Patsy A. Bearden, 907-586-7228 or patsy.bearden@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background and Need for Action

NMFS manages the groundfish fisheries in the Exclusive Economic Zone (EEZ) off Alaska according to fishery management plans prepared by the North Pacific Fishery Management Council (Council) under the authority of the Magnuson-Stevens Act. The FMPs are implemented by regulations at 50 CFR part 679. General regulations that also pertain to these fisheries appear in subpart H to 50 CFR part 600.

Regulations codified at 50 CFR part 679 implement the IFQ Program, a limited access system for management of the Pacific halibut (*Hippoglossus stenolepis*) and sablefish (*Anoplopoma fimbria*) fixed gear fisheries in and off Alaska.