

meet this demand, satisfy Washington State Growth Management Act requirements, and further improve transportation quality and safety. These proposed transportation system improvements include a series of substantial capital projects that would likely require construction near water bodies, habitat for Puget Sound chinook salmon, bull trout, and other listed and unlisted species. In addition, the Department has identified specific drainage improvement needs in the affected basins. These drainage improvements would also involve a series of substantial capital projects that are likely to affect water bodies, habitat for Puget Sound chinook salmon, bull trout, and other listed and unlisted species. The Services and Department agree that project-by-project ESA compliance decreases project certainty, increases expense, and can result in a fragmented and uncoordinated approach to species conservation. The Department's proposal is to develop an HCP, which will provide long-term assurances for constructing, upgrading, and maintaining Snohomish County's transportation and drainage systems while ensuring that the County's activities are conducted in a way that meets the conservation needs of 3 listed species and 15 unlisted fish and wildlife species (including Dolly Varden, *Salvelinus malma*, proposed for listing under the ESA's similarity of appearance provisions, and Coho salmon, *Oncorhynchus kisutch*, a candidate for listing under the ESA) with specific provisions in the Permits should these species be listed in the future.

Snohomish County's transportation and drainage construction and maintenance activities can harm listed species. ESA section 10 provides for the issuance of incidental take permits to non-Federal entities whose otherwise lawful activities cause the take of endangered and threatened species. The issuance criteria for an incidental take permit require that the take is incidental to otherwise lawful activities, and will not appreciably reduce the likelihood of the survival and recovery of the species in the wild. In addition, the applicant must prepare and submit to the Services for approval an HCP containing a strategy for minimizing and mitigating the effects of any incidental take to the maximum extent practicable. The applicant must also ensure that adequate funding will be provided for implementation of the HCP, and meet any other requirements that the Secretaries of Commerce and Interior might require.

Snohomish County has initiated discussions with the Services regarding the possibility of receiving permits that would cover take of listed species incidental to the following otherwise lawful activities:

- (1) Construction of new transportation facilities (roads and bridges, drainage and stormwater facilities, mitigation sites);
- (2) Maintenance of existing transportation facilities (roads and bridges, drainage and stormwater facilities);
- (3) Construction of new drainage infrastructure and facilities (drainage and stormwater facilities, culverts, mitigation sites);
- (4) Maintenance of existing drainage facilities (drainage and stormwater facilities, culverts, mitigation sites); and
- (5) Construction and maintenance of bank stabilization projects associated with county road rights-of-way (bank hardening).

The Snohomish County Public Works is currently considering the following types of conservation measures for the proposed HCP. These may include, but are not limited to:

- (1) A program of land conservation for the preservation, enhancement, and/or creation of suitable habitats for species addressed in the HCP to mitigate impacts associated with proposed construction and maintenance activities;
- (2) Development and implementation of construction and maintenance best management practices to avoid or minimize construction and maintenance impacts on species addressed in the HCP;
- (3) Commitment to continuing certain activities that are currently voluntary, targeted at reducing anthropogenic caused ecological conditions that limit the natural production of salmonids in the HCP Area (may include, but is not limited to, the following types of activities: impervious surface removal, stormwater retrofitting, and fish passage barrier removal);
- (4) Implementation of an adaptive management program with ongoing monitoring and adjustment of proposed covered activities; and
- (5) Continuing landowner outreach, education, and Water Resource Inventory Area planning participation.

The Services will conduct an environmental review of the issuance of the proposed requested Permits and proposed HCP by preparing an EIS. The EIS will analyze the proposed action (issuing the requested Permits) and alternatives to the proposed action, by comparing the impacts of the action on the human and natural environment to those that would occur under each of a

range of reasonable alternatives, including a No Action alternative. The Services will use the scoping process to develop alternatives to the proposed action. In addition to considering potential impacts on listed and other covered species and their habitats, the EIS could include information on potential impacts resulting from alternatives on other components of the human environment. Other components could include air quality, water quality and quantity, geology and soils, cultural resources, social resources, economic resources, and environmental justice.

The environmental review of this project will be conducted in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (42 USC 4321 *et seq.*), National Environmental Policy Act Regulations (40 CFR 1500–1508), other appropriate Federal laws and regulations, and policies and procedures of the Services for compliance with those regulations.

Date: June 12, 2003.

William F. Shake,

Acting, Deputy Regional Director, U.S. Fish and Wildlife Service, Region 1.

Date: July 7, 2003.

Phil Williams,

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 070103A]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Approved Vessel Monitoring Systems for use in the South Atlantic Rock Shrimp Fishery

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

ACTION: Notice of vessel monitoring systems; approval.

SUMMARY: This document provides notice of vessel monitoring systems (VMS) approved by NOAA for use by vessels participating in the limited access program for the Rock Shrimp Fishery of the South Atlantic Region and sets forth relevant features of the VMS.

ADDRESSES: To obtain copies of the list of NOAA approved VMS mobile