

acquisition, protection, restoration, or construction projects. This information collection will enable NOAA to implement the CELCP, under its current or future authorization, and facilitate the review of similar projects under different, but related, authorities.

Affected Public: State, Local, or Tribal Government; and not-for-profit institutions.

Frequency: One-time.

Respondent's Obligation: Required to obtain or retain a benefit.

OMB Desk Officer: David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, DC 20503.

Dated: January 23, 2003.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 011403A]

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Fisheries for Dolphin and Wahoo

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

ACTION: Notice of agency action.

SUMMARY: NMFS, under authority granted to the Secretary of Commerce (Secretary) under section 304(f) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), has re-designated the South Atlantic Fishery Management Council (SAFMC) as the lead council to develop a dolphin (*Coryphaena hippurus* and *C. equiselis*), and wahoo (*Acanthocybium solanderi*), fishery management plan (FMP) in the exclusive economic zone (EEZ) for the U.S. Atlantic coast.

FOR FURTHER INFORMATION CONTACT: Dr. Steve Branstetter, NMFS, 727-570-5305.

SUPPLEMENTARY INFORMATION: Currently, dolphin in the EEZ of the South Atlantic and Gulf of Mexico is managed under the FMP for the Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic (Coastal Pelagics FMP). Wahoo in the EEZ is currently not managed under any Federal FMP. The Gulf of Mexico Fishery Management Council (GMFMC) and SAFMC have joint responsibility for developing and amending the Coastal Pelagics FMP (managed species include king mackerel, Spanish mackerel, cero, cobia, dolphin, little tunny, and bluefish in the Gulf of Mexico). The Coastal Pelagics FMP is implemented under authority of the Magnuson-Stevens Act by regulations at 50 CFR part 622. Presently, those regulations specify authorized fishing gears for dolphin.

Given the increasing fishing pressure on dolphin and wahoo, and the sparse information available on stock structure and status, the SAFMC perceived a need to provide management for dolphin and wahoo resources throughout their ranges. The SAFMC believed that present fishery conditions required timely action to prevent localized reductions in fish abundance due to heavy fishing pressure and serious user group conflicts before they occurred off the southern Atlantic states or elsewhere in the Atlantic EEZ. Consequently, on September 15, 1997, the SAFMC requested authorization under the Magnuson-Stevens Act to develop an FMP that would provide comprehensive management and protection of dolphin and wahoo in the EEZ of the Atlantic, Gulf of Mexico, and Caribbean Sea.

On March 9, 1998 (63 FR 11422), and May 5, 1998 (63 FR 24774), NMFS published documents in the **Federal Register** requesting public comment on the SAFMC proposal. After considering the SAFMC request, and the public comment received, NMFS, acting on behalf of the Secretary under the procedures of the Magnuson-Stevens Act, designated the SAFMC, GMFMC, and Caribbean Fishery Management Council (CFMC) as joint preparers of a new FMP for the fisheries for dolphin and wahoo throughout their range in the EEZ of the Atlantic, Gulf of Mexico, and Caribbean Sea, with the Mid-Atlantic Fishery Management Council (MAFMC) and New England Fishery Management Council (NEFMC) serving in an advisory capacity to the other Councils. Authority to designate a Council or Councils to prepare an FMP for fisheries

that extend beyond one Council's geographical area of authority is granted to the Secretary under section 304(f) of the Magnuson-Stevens Act.

Subsequently, on July 16, 2002, the SAFMC requested that the Secretary allow the SAFMC to withdraw from further action to prepare a joint FMP. The SAFMC further requested that the Secretary re-designate the SAFMC as true lead for an FMP encompassing only the U.S. Atlantic coast, and excluding the Gulf of Mexico and U.S. Caribbean regions. The SAFMC submitted this request because of continued logistic delays in finalizing and implementing the jointly developed FMP. The SAFMC was concerned that these delays could exacerbate identified user conflicts specific to the fishery along the Atlantic coast.

NMFS, on behalf of the Secretary, responded to the Council in a letter dated October 9, 2002, indicating that the agency found merit with the SAFMC's proposal. NMFS still believes that a jointly developed FMP would best meet Magnuson-Stevens Act requirements to manage stocks throughout their ranges. Nevertheless, NMFS also recognizes that the National Standard Guidelines (NSG), at 50 CFR 600.320, suggest that more restrictive alternative management units may be justified if complementary management is planned for other geographic areas or if the unmanaged portions of the stocks are immaterial to proper management within the area under consideration for the alternate management unit, especially if designated alternate management units are specifically relevant to the FMP's objectives.

In the case of the dolphin and wahoo FMP, social and economic issues are identified as the SAFMC's primary objectives in the FMP. The SAFMC is not attempting to rectify a biological problem with the stocks; neither stock is overfished nor approaching an overfished condition because of overfishing. The SAFMC has specific objectives to: (1) minimize the potential for localized reductions in fish abundance, which can have economic and social impacts; (2) minimize market disruptions from intense landings by all sectors; (3) minimize conflicts and competition between recreational and commercial user groups; and (4) optimize social and economic benefits by recognizing and maintaining the historical importance of the recreational fishery.

No similar economic and social issues requiring management have been identified by the GMFMC or CFMC for their respective areas of jurisdiction. In the Gulf of Mexico, about 90 percent of