

FHWA Decision

The FHWA is mindful of the need for all interested parties to have enough time to prepare relevant and useful comments. The FHWA has determined that the complexity of the ANPRM and the prospect of receiving additional responses to the ANPRM weighs in favor of re-opening the docket for an additional period of 60 days.

The FHWA therefore is extending the comment period on FHWA Docket No. FHWA-98-3414 for a 60-day period.

All comments received before the close of business on the comment closing date will be considered and will be available for examination in the docket at the above address. Comments received after the closing date will be filed in the docket and will be considered to the extent practicable. In addition to late comments, the FHWA will continue to file relevant information in the docket as it becomes available after the comment closing date, and interested parties should continue to examine the docket for new materials.

List of Subjects*49 CFR Part 395*

Highway safety, Motor Carriers, Motor vehicle safety, Reporting and recordkeeping requirements.

49 CFR Part 396

Highway safety, Motor carriers, Motor vehicle safety, Reporting and recordkeeping requirements.

Authority: 49 U.S.C. 31133, 31136, 31310, and 31502; sec. 345, Pub.L. 104-59, 109 Stat. 568, 613; and 49 CFR 1.48.

Issued on: October 2, 1998.

Kenneth R. Wykle,

Federal Highway Administrator.

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration****50 CFR Part 644**

[I.D. 071698B(1)]

RIN 0648-AJ67

Atlantic Billfish Fishery

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

ACTION: Notice of availability of a draft fishery management plan (FMP) amendment; request for comments.

SUMMARY: NMFS announces the submission of draft Amendment 1 to the Fishery Management Plan for the Atlantic Billfish Fishery for Secretarial review. Draft Billfish Amendment 1 defines overfishing criteria, develops rebuilding management strategies, defines essential fish habitat, and establishes framework procedures for regulatory changes affecting the management of the Atlantic billfish fishery.

DATES: Written comments on draft Billfish Amendment 1 must be received on or before January 7, 1999.

ADDRESSES: Written comments on draft Billfish Amendment 1 should be sent to, and copies of the document are available from, Rebecca Lent, Chief, Highly Migratory Species Management Division, NMFS, 1315 East-West Highway, Silver Spring, MD, 20910.

FOR FURTHER INFORMATION CONTACT: Sarah McLaughlin at (301) 713-2347 or Buck Sutter at (727) 570-5324.

SUPPLEMENTARY INFORMATION: The Atlantic billfish fishery is managed under an FMP implemented in March 1988, with regulations published at 50 CFR part 644 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act, 16 U.S.C. 1801 *et seq.*) and the Atlantic Tunas Convention Act (ATCA, 16 U.S.C. 971 *et seq.*).

Upon implementation of Billfish Amendment 1, the Secretary will implement Atlantic billfish regulations under the authority of both the Magnuson-Stevens Act and ATCA. Regulations issued under the authority

of ATCA carry out the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

If approved, Billfish Amendment 1 will define overfishing status determination criteria, which designate Atlantic blue marlin and Atlantic white marlin as overfished. NMFS has developed a two-part strategy: a suggested international rebuilding scheme and domestic management measures. Together, these two components identify biomass and fishing mortality limits and propose a suite of preferred management alternatives designed to reduce fishing mortality, bycatch, and bycatch mortality. Preferred alternatives include measures to rebuild overfished fisheries in timeframes consistent with guidelines for implementation of National Standard 1, to control fishing effort and increase the minimum size for blue and white marlin, to implement billfish reporting requirements, and to address issues of safety at sea and enforcement. In addition, essential fish habitat (EFH) is defined for Atlantic billfish.

In a separate notice to be published in the **Federal Register**, NMFS will propose regulations to implement the preferred alternatives specified in the draft Billfish Amendment 1. During the comment period on the proposed rule, NMFS will hold public hearings on the draft Billfish Amendment 1 and on the proposed implementing regulations. The dates and locations of these public hearings will be published in the **Federal Register** at a later date. NMFS specifically requests comment on the designation of sargassum weed as EFH for Atlantic billfish. NMFS also seeks determinations from coastal states on whether the preferred management measures would be consistent with the existing or planned state regulations and should be applicable in state waters.

Authority: 16 U.S.C. 1801 *et seq.* and 16 U.S.C. 971 *et seq.*

Dated: October 5, 1998.

Gary C. Matlock,

Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 98-27233 Filed 10-6-98; 2:36 pm]

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