

tuna handline by the Pelagic Plan Team (PPT) in May 2005, suggests that the available data on landings may not require a limited entry program at this time. However, there were concerns that the reported statistics for this fishery (which is actually a mix of different hook and line gears) may be underestimates, and that serious efforts should be made to pursue accurate landings data for the fishery. The PPT also approved a protocol to be incorporated into the Pelagics FMP by which the Council would take action on international management of HMS species. This includes ensuring Council inclusion in US delegations to international fishery management meetings and the drafting of position papers on measures to reduce overfishing and rebuild stocks.

The Council will review PPT and SSC comments and recommendations and may take final action on an FMP amendment on how to deal with BET overfishing both in the domestic and international fisheries.

*5. MPA Objectives and Goals, Criteria for Establishing Monitoring and Evaluating MPAs First Draft (Action Item)*

The Council MPA Working Group is developing a guide for Council family reference when working on MPA issues. "MPA Goals and Objectives, and Criteria for Establishing, Monitoring and Evaluating MPAs" is a dynamic document, updated with the best available science. The Document incorporates a flowchart illustrating a NEPA based process to establish, monitor and evaluate MPAs, and criteria for establishing, monitoring and evaluating MPAs are detailed. The Council is asked to review a first draft of this document.

Although non-emergency issues not contained in this agenda may come before the Council for discussion, those issues may not be the subject of formal Council action during this meeting. Council action will be restricted to those issues specifically listed in this document and any issue arising after publication of this document that requires emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

**Special Accommodations**

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds,

(808)522-8220 (voice) or (808)522-8226 (fax), at least 5 days prior to the meeting date.

Dated: May 9, 2005.

**Emily Menashes,**

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

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 041905B]

**Endangered Species; File No. 1356**

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

**ACTION:** Issuance of permit amendment.

**SUMMARY:** Notice is hereby given that Inwater Research Group Inc. has been issued a modification to scientific research Permit No. 1356.

**ADDRESSES:** The modification and related documents are available for review upon written request or by appointment in the following office(s): Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)427-2521;

Southeast Region, NMFS, 263 13th Avenue South, St. Petersburg, FL 33701; phone (727)824-5312; fax (727)824-5517.

**FOR FURTHER INFORMATION CONTACT:**

Patrick Opay or Ruth Johnson, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On February 23, 2005, notice was published in the Federal Register (70 FR 8767) that a modification of Permit No. 1356, issued July 11, 2002 (67 FR 45959), had been requested by the above-named organization. The requested modification has been granted under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

The modification authorizes the Holder to attach satellite transmitters to a subset of the green sea turtles already authorized to be captured under the existing permit. It also allows researchers to conduct sampling all months of the year and to modify their study area to include a 30 kilometer area

extending south, west and north of the Marquesas Keys.

Issuance of this modification, as required by the ESA was based on a finding that such permit modification (1) was applied for in good faith, (2) will not operate to the disadvantage of any endangered or threatened species, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: May 6, 2005.

**Stephen L. Leathery,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

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**DEPARTMENT OF DEFENSE**

**Corps of Engineers, Department of the Army**

**Draft Environmental Impact Statement for the Preparation of a Special Area Management Plan and Associated 404 Permit Actions for the San Juan Creek and Western San Mateo Creek Watersheds, Orange County, CA**

**AGENCY:** U.S. Army Corps of Engineers, DOD.

**ACTION:** Revised Notice of Intent (NOI).

**SUMMARY:** The Corps of Engineers (Corps) published a Notice of Intent to prepare a Draft Environmental Impact Statement (DEIS) in the **Federal Register** (Vol. 66, No. 76, pages 20135-20136) on April 19, 2001, for a Special Area Management Plan (SAMP) within the San Juan Creek and western San Mateo Creek Watersheds. The Notice of Intent stated that the eventual document would be a joint state and federal document in coordination with the California Department of Fish and Game (Department). The Department intended to prepare an Environmental Impact Report (EIR) in accordance with the California Environmental Quality Act for the Department's proposed Master Streambed Alteration Agreement (MSAA), a proposed state program analogous to the SAMP. It is now necessary to revise the Notice of Intent to reflect that the document will now be a federal document and not a joint federal and state document.

Scoping commenced on April 19, 2001 with the publication of the original Notice of Intent in the **Federal Register**. In addition, the Corps issued a special public notice on the SAMP dated April 18, 2001, to the general public. A public scoping meeting was held on May 8, 2001, in San Juan Capistrano, California.