

Scoping Document

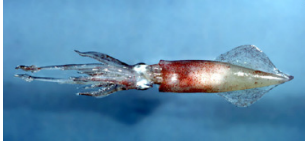
for AMENDMENT 15 to the

Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan

In the Plan...



Atlantic Mackerel



Longfin Squid



Illex Squid



Butterfish

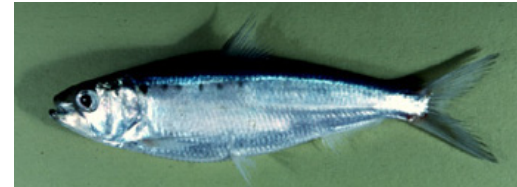
Could be in the Plan...



Blueback Herring



Alewife



American Shad



Hickory Shad

Prepared by the
Mid-Atlantic Fishery Management Council (MAFMC),
in consultation with the National Marine Fisheries Service (NMFS)



Schedule of Atlantic Mackerel, Squid, and Butterfish Amendment 15 (River Herring and Shad Management) Scoping Meetings and Public Comment Instructions

Scoping hearings will be held on the following dates:

- Nov 14, 2012, 6 pm – 8 pm: Internet Webinar:
<https://www1.gotomeeting.com/register/268451473>; While anyone with internet access can join the webinar, there will also be a listening post at: Virginia Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, (757) 247-2200.
- Nov 15, 2012, 7 pm – 9 pm: Internet Webinar:
<https://www1.gotomeeting.com/register/625483785>; While anyone with internet access can join the webinar, there will also be a listening post at: New York Marine Resources Bureau Headquarters; 205 North Belle Mead Rd., Suite 1, East Setauket, NY 11733, (631) 444-0430.
- Nov 19, 2012, 7 pm – 9 pm: Congress Hall, 251 Beach Ave, Cape May, NJ 08204, 888-944-1816
- Nov 20, 2012, 7 pm – 9 pm: Radisson Hotel Providence Airport; 2081 Post Road; Warwick, RI. 401-739-3000.

In addition to providing information and comments at the above scoping meetings, you may submit written comments by 11:59 p.m., Eastern Standard Time, on December 5, 2012 per the notice of intent and scoping, published in the Federal Register here:
<http://www.gpo.gov/fdsys/pkg/FR-2012-10-31/pdf/2012-26795.pdf>.

Written comments on Amendment 15 may be sent by any of the following methods:

-Email to the following address: nmfs.ner.msbam15@noaa.gov. Include "Scoping Comments on MSB 15" in the subject; or

-Mail to Chris Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, 800 North State Street, Suite 201, Dover, DE 19901. Mark the outside of the envelope "Scoping Comments on MSB 15"; or

-Fax to Chris Moore, Ph.D., 302-674-5399. Include "Scoping Comments on MSB 15" in the fax.

Preliminary AM 15 Timeline - River Herrings/Shads as Stocks in the Fishery

June 2012	MAFMC initiates Amendment (DONE)
Aug 2012	<u>Action Plan</u> Created, <u>FMAT</u> assigned (DONE)
Sept 2012	<u>Workshop</u> with management partners & FMAT on potential management approaches for purposes of drafting scoping document (DONE)
Oct 2012	Staff completes <u>scoping document</u> (DONE)
Nov 2012	Scoping <u>Comment</u> Period & <u>Scoping Hearings</u> (ONGOING)
Dec 2012	<u>FMAT</u> develops alternatives, DEIS writing begins
Mar 2013	<u>FMAT</u> provides recommendations re: required alternatives.
April 2013	Joint <u>Committee & AP Meeting</u> to get input on alternatives; ASMFC Coordination
May-Jul 2013	DEIS Creation concluded, <u>FMAT Informal Review</u> , Edits
Aug 2013	MAFMC approves <u>DEIS for Submission to NMFS</u> , selects preferred alternatives
Sep 2013	Document perfection
Nov 2013	FR the DEIS, <u>Public hearings</u> for Am 15 with DEIS
Jan 2014	<u>MAFMC receives comments</u>
Feb 2014	<u>Committee</u> meets to select alternatives to recommend to MAFMC
April 2014	<u>MAFMC</u> selects preferred alternatives for submission
May 2014	Document Perfection w/ NMFS
July 2014	<u>Proposed Rule</u>
Sept 2014	Comment Period Closes
Dec 2014	<u>Final Rule</u>
Jan 2015	Final Rule <u>Effective</u>

THE MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (MAFMC)

SEEKS YOUR COMMENTS ON AMENDMENT 15 TO THE

ATLANTIC MACKEREL, SQUID, AND BUTTERFISH FISHERY MANAGEMENT PLAN

Your comments are invited...

The Mid-Atlantic Fishery Management Council (MAFMC) proposes to develop Amendment 15 to the Fishery Management Plan (FMP) for Atlantic mackerel, squid, and butterfish (MSB) under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) as currently amended. The MAFMC would like your input on the range of issues and information that should be considered during development of Amendment 15, which will consider adding river herrings (blueback and alewife) and shads (American and hickory) as Council-managed species. The MAFMC is seeking your comments on the specific issues identified in this document plus any other issues that might be of concern to you regarding the MSB fisheries and their management.

Why your comments are important...

This is the first and best opportunity for members of the public to raise concerns related to the scope of issues that will be considered in Amendment 15. The MAFMC needs your input both to identify management issues and develop effective alternatives. Your comments early in the amendment development process will help us address issues of public concern in a thorough and appropriate manner.

The measures outlined in this document are not a list of "preferred alternatives" or measures that the MAFMC will necessarily include in the amendment. No management measures have yet been analyzed for their effectiveness or impacts. Please comment on which management measures may or may not be useful or practical and explain your rationale. Please also comment on any other issues that should be addressed in Amendment 15. The list of relevant issues may be expanded as suggestions are offered during the scoping process.

What actions have already been taken?

The MSB FMP became effective in 1983 when the individual Atlantic mackerel, squid, and butterfish plans were merged. Over time the MSB FMP and the earlier individual FMPs have addressed a wide variety of issues including biological reference points, harvest control rules, overfishing definitions, elimination of foreign fisheries, limited access, dealer reporting, vessel reporting, bycatch reduction, and essential fish habitat. The history of this FMP and links to earlier FMP documents may be found at: <http://mafmc.org/fmp/history/smb-hist.htm>.

In June 2012, via Amendment 14 (currently in review by NMFS), the MAFMC voted to recommend implementation of a suite of measures designed to improve river herring and shad catch monitoring and also to implement incidental catch caps on the mackerel fishery for river herrings and shads in the annual specifications, to

be effective in 2014. At the same meeting the MAFMC voted to begin development of Amendment 15. The specific motion language was: “the Council will begin Amendment 15 to add river herrings/shads as stocks in the fishery (with Essential Fish Habitat (EFH), Annual Catch Limits (ACLs) / Accountability Measures (AMs), etc.)” Amendment 14 itself originally contemplated adding river herring and shad as directly managed species but the MAFMC ultimately decided to address the direct management question as a separate amendment so that the various requirements of the Magnuson Stevens Act could be addressed in greater detail than could be done within Amendment 14 without substantial delay.

What is the current nature of RH/S Management?

For the purposes of this action river herrings include alewife and blueback herring and shads include American and hickory shad and are referred to collectively as RH/S. RH/S are managed through an Interstate Fisheries Management Plan by the Atlantic States Marine Fisheries Commission (ASMFC). ASMFC’s current management measures are addressed in Amendments 2 and 3 of the Shad and River Herring Fishery Management Plan, which are available at: <http://www.asmfc.org/shadRiverHerring.htm>. As of January 1, 2013 all landings of RH/S will be prohibited in state waters for all states except those states that have approved sustainable management plans. This provision has been in effect for river herrings since January 1, 2012. ME, NH, NY, NC, and SC have approved river herring plans. RI is applying for approval of a river herring plan. There are approved shad plans for the Delaware River and Bay, the Potomac River, NC, SC, GA, and FL. MA is applying for approval of a shad plan. Only the ME river herring plan allows for a continuation of recent harvest levels while the other plans strongly limit harvest through gear restrictions or river system closures. Some states allow incidental catches during commercial fishing (e.g. NJ and MA) while other states have complete possession bans (e.g. VA).

States work individually and cooperatively with each other and NOAA, the U.S. Fish and Wildlife Service, and non-governmental organizations to improve RH/S habitat in their waters. There are also a number of other habitat management activities that benefit RH/S such as consultations for other federally managed species that share RH/S habitat, consultations for hydropower licenses and license renewals, fish passage programs (federal, state, and non-governmental), and projects funded through Fish Habitat Partnerships established through the National Fish Habitat Action Plan.

As described above, Amendment 14 seeks to address the incidental catch of RH/S in the Atlantic mackerel fishery. Amendment 5 to the New England Fishery Management Council’s Atlantic Herring Fishery Management Plan does the same for incidental catch of RH/S in the Atlantic herring fishery. Together, the Atlantic mackerel and Atlantic herring fisheries (which sometimes overlap) account for most RH/S catch in federal waters and these amendments will allow the Councils to control catch to a predetermined level in the near future (the exact levels will be set in future actions), if implemented as expected.

Also at the federal level, there are NMFS and USFWS representatives on the ASMFC's RH/S management board to assist with coordination. While not yet utilized for RH/S, under the Atlantic Coastal Fisheries Cooperative Management Act, the Department of Commerce has the authority to implement rules in the federal waters of the Exclusive Economic Zone (three to 200 miles from shore) to complement the ASMFC's fishery management plans, if there is no federal fishery management plan under the Magnuson-Stevens Act for the species of concern. Federal fisheries rules are implemented under the Magnuson Act and regulations are developed with the close cooperation of the ASMFC.

NMFS is also currently evaluating whether river herrings (alewife and blueback) should be listed as endangered under the Endangered Species Act. A NMFS determination should be made soon but is not currently available. The impact of a listing is not entirely clear. One interpretation of a listing could be that such a listing would be a signal that Council involvement is necessary, while another interpretation could be that such a listing and the actions that would need to be taken as a result would preempt Council involvement and make Council involvement redundant. Once NMFS makes a listing determination then the ramifications of that determination will be evaluated.

NMFS has also published notice that they may revise the guidelines about what fishery stocks should be directly managed (National Standard 1 Guidelines) by Councils. This process is just beginning and any changes would be incorporated into the Amendment as appropriate.

Finally, in a recent lawsuit on Amendment 4 to the Atlantic Herring Fishery Management Plan, the court found that NMFS did not satisfy its obligation to independently determine whether Amendment 4's definition of "stocks in the fishery" complied with the MSA. In order to remedy this, the court ordered that NMFS send a letter to the New England Fishery Management Council explaining the guidelines relating to determining the stocks to be included in a fishery and recommending that the New England Fishery Management Council consider, in an amendment to the Atlantic Herring Fishery Management Plan, whether river herring and shad should be designated as stocks in the fishery. This letter was sent on August 31, 2012. Given potential Mid-Atlantic Fishery Management Council action regarding the addition of river herring and shad as stocks in the MSB FMP, and NMFS' response to the lawsuit, it appears possible that the New England Fishery Management Council may make some consideration of federal management of these stocks. Details of the New England Fishery Management Council's consideration of this issue are still under development.

***Why is the
MAFMC
proposing this
action?***

1. Given that past management of RH/S has not been successful in maintaining many RH/S stocks at high levels, the process of developing Amendment 15 will explore and seek to reveal whether the benefits of managing RH/S under the Magnuson Stevens Act and through the Council(s) justify the costs of doing so, in relation to the status quo management framework (summarized above) and the charge of the MSA to Councils to implement management plans for species in need of conservation and management (this charge is further detailed below).
2. In the most recent ASMFC river herring stock assessment, of the 24 river herring stocks for which sufficient data is available to make a conclusion, 23 were depleted relative to historic levels and one was increasing. The status of 28 additional stocks could not be determined because the time-series of available data was too short. Estimates of abundance and fishing mortality could not be developed because of the lack of adequate data. The “depleted” determination was used instead of “overfished” and “overfishing” because of the many factors that have contributed to the declining abundance of river herring, which include not just directed and incidental fishing, but likely also habitat issues (including dam passage), predation, and climate change. It is hard to decipher which factors may be driving river herring abundance trends but the assessment concluded that management actions to reduce total mortality are needed. There are no coast-wide reference points.
3. The most recent shad stock assessment report identified that shad stocks are highly depressed from historical levels. Of the 24 stocks of American and hickory shad for which sufficient information was available, 11 were depleted relative to historic levels, 2 were increasing, and 11 were stable (but still below historic levels). The status of 8 additional stocks could not be determined because the time-series of data was too short or analyses indicated conflicting trends. Taken in total, American shad stocks do not appear to be recovering. The assessment concluded that current restoration actions need to be reviewed and new ones need to be identified and applied. These include fishing rates, dam passage, stocking, and habitat restoration. There are no coast-wide reference points.
4. RH/S are caught incidentally in the directed MSB fisheries (mostly mackerel but somewhat also with longfin squid) and are sometimes retained and sometimes discarded. They are also caught in a variety of other state and federal, commercial and recreational fisheries, either as targeted species or incidentally. Amendment 14 estimated that the catch of shad and river herring by at-sea fisheries in 2009-2010 (the most recent years and of relatively good precision) probably totaled several million fish per year, which were mostly river herring and mostly caught with small mesh mid-water trawl gear (72%) but also with small mesh bottom trawl gear (24%). The mackerel and longfin squid fisheries use these gears and are known to interact with RH/S, though other fisheries do as well (e.g. Atlantic herring). Catches were roughly equal between Mid-Atlantic and New England waters. At-sea catches generally involve more juveniles than do in-river catches.

***What actions
are being
considered by
the MAFMC?***

MAFMC Management of RH/S

Council action could result in the stocks being managed under the Magnuson-Stevens Act (MSA), which governs the conservation and management of fish species within federal waters. The MAFMC could manage RH/S through a new RH/S FMP or by adding RH/S to the MSB FMP.

The MSA states the following regarding Council responsibilities: "...Each Council shall...for each fishery under its authority that requires conservation and management, prepare and submit to the Secretary (A) a fishery management plan..." Regarding Councils' authorities, MSA states: "The Mid-Atlantic Fishery Management Council shall consist of the States of New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina and shall have authority over the fisheries in the Atlantic Ocean seaward of such States..." The MSA does contemplate Council management of anadromous species.

If the MAFMC directly managed RH/S under an FMP, then the required and discretionary provisions of the MSA would apply, as described below. These provisions could potentially assist in RH/S management and to the extent that execution of these provisions benefited RH/S populations, then this may argue for direct Council involvement. Higher RH/S populations could benefit commercial and recreational fishermen and associated communities if directed fishing is re-established, and could also provide additional ecosystem services (e.g. adding to the forage base). To the extent that these provisions are already being accomplished, then this may argue against Council involvement. Ultimately the MAFMC will make a determination of whether RH/S require additional conservation and management that can be addressed through the provisions of the MSA.

Required MSA Provisions (paraphrased):

- contain the conservation and management measures necessary and appropriate for the conservation and management of the fishery to prevent overfishing and rebuild overfished stocks, and to protect, restore, and promote the long-term health and stability of the fishery*
- contain a description of the fishery;*
- specify the maximum sustainable yield and optimum yield from the fishery;*
- assess and specify domestic harvesting and processing capacities;*
- specify the pertinent fishery data which shall be submitted to NMFS;*
- consider and provide for temporary adjustments because of weather or other ocean conditions affecting the safe conduct of the fishery;*
- describe and identify essential fish habitat and minimize to the extent practicable adverse effects on such habitat caused by fishing, and identify other actions to encourage the conservation and enhancement of such habitat;*
- assess and specify the nature and extent of scientific data which is needed for effective implementation of the plan;*

- describe the likely effects of management measures on fishery participants and fishing communities;
- specify objective and measurable criteria for identifying when the fishery to which the plan applies is overfished and also conservation and management measures to prevent overfishing or end overfishing and rebuild the fishery as appropriate;
- assess the amount and type of bycatch occurring in the fishery and minimize bycatch to the extent practicable;
- assess recreational release mortality and minimize such mortality to the extent practicable;
- allocate any harvest restrictions or recovery benefits fairly and equitably among the commercial, recreational, and charter fishing sectors in the fishery; and
- establish annual catch limits, and measures to ensure accountability.

Discretionary MSA Provisions (paraphrased):

- require permits for vessels, operators, and processors;
- designate zones where, and periods when, fishing shall be limited;
- establish specified limitations which are necessary and appropriate for the conservation and management of the fishery on the-- (A) catch of fish (based on area, species, size, number, weight, sex, bycatch, total biomass, or other factors); (B) sale of fish; and (C) transshipment or transportation of fish ;
- establish gear or vessel restrictions;
- incorporate relevant fishery conservation and management measures of the coastal States nearest to the fishery and take into account the different circumstances affecting fisheries from different States and ports;
- establish limited access for the fishery or a limited access privilege system (catch share);
- require data submissions from fish processors;
- require that one or more observers be carried on board a vessel;
- assess and specify the effect which the conservation and management measures of the plan will have on the stocks of naturally spawning anadromous fish in the region;
- include harvest incentives for participants to lower bycatch;
- reserve a portion of catch for scientific research;
- include management measures in the plan to conserve target and non-target species and habitats, considering the variety of ecological factors affecting fishery populations; and
- prescribe such other measures as are determined to be necessary and appropriate for the conservation and management of the fishery.

The Required and Discretionary Provisions for management plans in the MSA are aligned with the 10 National Standards for fishery management which state (paraphrased) that management shall generally : (1) Achieve optimum yield and prevent overfishing, (2) Be based on the best available scientific information,

(3) Manage stocks as a unit, (4) Make any allocations fair and equitable, (5) Consider efficiency but not have economic allocation as the sole purpose, (6) Allow for variations and contingencies, (7) Minimize costs and avoid duplication, (8) Consider fishing communities to provide for their sustained participation and to minimize adverse economic impacts, (9) Minimize bycatch, and bycatch mortality, and (10) Promote the safety of human life at sea.

Management Coordination Approaches

Besides the mandatory and discretionary provisions of the MSA that would apply to MAFMC management, a critical question is what kind of coordination should occur between the MAFMC, the New England Fishery Management Council, the Atlantic States Marine Fisheries Commission (ASMFC) and its species management “Boards,” NMFS (the Northeast Regional Office and/or Northeast Fisheries Science Center), and/or any other potential management partners. The ASMFC currently holds the primary assessment and management responsibilities for RH/S and the MAFMC and the New England Fishery Management Council manage fisheries (especially Atlantic mackerel and herring) that interact with RH/S. Several existing coordination examples are described below.

JOINT MANAGEMENT BETWEEN MAFMC AND ASMFC

The four species below are jointly managed between the MAFMC and ASMFC in that the two entities or their committees meet together and there is a strong precedent in establishing matching management measures (though technically one entity is not legally bound to adopt the measures of the other). The stock assessment is conducted by NMFS for all four.

Bluefish – Managed with a joint FMP between MAFMC and ASMFC under Amendment 1. The ASMFC’s Board and MAFMC meet together annually in August to set specifications. The commercial quota is divided into state shares based on historical landings.

Summer Flounder – Managed with a joint FMP between MAFMC and ASMFC under Addendum XIX to Amendment 13. The Board and MAFMC meet annually in August and December for specifications and meet separately other times of the year as needed. Recreational measures are determined on an annual basis, since the early 2000 state-by-state measures have been set under conservation equivalency. The commercial quota is divided into state-by-state quotas.

Scup – Managed with a joint FMP between MAFMC and ASMFC under Amendment 14. The Board and MAFMC meet annually in August and December to set specifications and meet separately other times of the year as needed. Since 2004, the states of Massachusetts, Rhode Island, Connecticut, and New York have formed a northern region when setting their recreational regulations. This regional approach creates consistency between the states where fishermen from different states are often fishing alongside each other in the same waters. The Federal plan does not allow for conservation equivalency that the ASMFC plan allows.

Black Sea Bass – Managed with a joint FMP between MAFMC and ASMFC under Addendum XXI to Amendment 13. The Board and MAFMC meet annually in August and December to set specifications and meet separately other times of the year as needed. Recreational fishery management measures include the same combination of minimum size limits, bag limits, and fishing seasons set for the entire coast. For the last 2 years, states have implemented conservation equivalency for state waters only. The commercial quota is divided into state-by-state quotas annually under the ASMFC plan only. Specific management measures for the commercial fishery are set by each state.

JOINT MAFMC/NEW ENGLAND FISHERY MANAGEMENT COUNCIL AND COMPLEMENTARY WITH ASMFC

Spiny Dogfish – Managed with a joint FMP between the MAFMC (lead) and the New England Fishery Management Council for federal waters. There is a separate FMP for state waters through ASMFC, which tries to be complementary with the federal plans but has occasionally diverged. ASMFC and Council FMPs strive to promote stock rebuilding and management of the spiny dogfish fishery in a manner that is biologically, economically, socially, and ecologically sound. The Board and Councils do not meet typically together. NMFS implements one set of spiny dogfish regulations based on the two Councils' actions. The stock assessment is conducted by NMFS.

COMPLEMENTARY MANAGEMENT BETWEEN NMFS AND ASMFC

Coastal Sharks – Managed with a federal FMP by NMFS directly. ASMFC implemented a separate FMP to complement federal management actions. Prior to the ASMFC plan, shark management in state waters consisted of disjointed state-specific regulations. The ASMFC FMP also closed loopholes and allowed for joint specification setting throughout the entire Atlantic shark range.

What does the MAFMC want to hear about?

Questions to Consider – The following are some of the issues the MAFMC would like your input on:

- Is the fishery already adequately managed by states, by state/Federal programs, by Federal regulations pursuant to FMPs or international commissions, or by industry self-regulation, consistent with the policies and standards of the MSA?
- Are current Council efforts and planned measures (from Amendments 14 and 5 discussed above) sufficient or insufficient to address the incidental catch of RH/S in federal fisheries?
- What specific management actions could be taken under the current management system to improve the condition of RH/S stocks?

-What specific management actions could be taken by the MAFMC to improve the condition of RH/S stocks that cannot be effectively implemented under the current management system?

-Could an FMP resolve competing interests and conflicts among user groups?

-Can RH/S be effectively managed as a unit throughout its range in Federal waters or not, given that the scale of available information is on a river-by-river basis? If not then at what scale should management occur? How might the river run-by-river run variability of RH/S impact management?

-How would the current data limitations for RH/S impact management?

- If the MAFMC ends up managing RH/S, are any of the following bases for management units appropriate?

- Biological - based on a stock(s) throughout its range.
- Geographic - based on an area.
- Economic - based on a fishery supplying specific product forms.
- Technical - based on a fishery utilizing specific gears or practices
- Social - based on fishermen as the unifying element
- Ecological - based on species/habitats that are associated in the ecosystem

-If the MAFMC ends up managing RH/S, management measures for RH/S may add management costs or may shift costs from one level of government to another, from one part of the private sector to another, or from the government to the private sector. Can you comment on any ways that costs of management may or should be redistributed or how they should be compared to any potential benefits?

-If the MAFMC ends up managing RH/S, can the MAFMC and ASMFC fully accomplish management of RH/S throughout its range without doing a joint FMP with the New England Fishery Management Council or not? Why or why not? How should the MAFMC coordinate management with other agencies?

What happens next?

The MAFMC will first gather information during the scoping period. If the MAFMC decides to move forward with Amendment 15, the MAFMC will develop a range of management alternatives to be considered and prepare an Environmental Impact Statement (EIS) to analyze the impacts of the management alternatives being considered as required by the National Environmental Policy Act (NEPA). The EIS would seek to analyze and answer the above questions in addition to other issues that arise during scoping and/or amendment development.

A draft EIS will be distributed for public review (see above timeline). During a 45-day public comment period which will include public hearings, the public may comment on any aspect of the draft EIS. Following a review of the comments, the MAFMC will then choose preferred management measures for submission with the Final EIS to the Secretary of Commerce for publishing of a proposed and then final rule, both of which have additional comment periods.

***How do I
comment?***

For the purposes of scoping, you may attend any of the scoping meetings to provide oral comments, or you may submit written comments by 11:59 p.m., Eastern Standard Time, on December 5, 2012 per the notice of intent and scoping, published in the Federal Register here: <http://www.gpo.gov/fdsys/pkg/FR-2012-10-31/pdf/2012-26795.pdf>.

Written comments on Amendment 15 may be sent by any of the following methods:

-Email to the following address: nmfs.ner.msam15@noaa.gov. Include "Scoping Comments on MSB 15" in the subject; or

-Mail to Chris Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, 800 North State Street, Suite 201, Dover, DE 19901. Mark the outside of the envelope "Scoping Comments on MSB 15"; or

-Fax to Chris Moore, Ph.D., 302-674-5399. Include "Scoping Comments on MSB 15" in the fax.

****The public will be notified via the Federal Register of additional opportunities to comment later in the process, but again, this is the first and best opportunity for members of the public to raise concerns related to the scope of issues that will be considered via Amendment 15.****