identified as the cause of strandings. While actual strandings in any zone in any week may meet or exceed the levels identified as the indicated take levels, this does not necessarily mean that the incidental take level for the shrimp fishery has been met or exceeded for purposes of section 7 of the ESA and that consultation is required to be reinstated pursuant to 50 CFR 402.16. Rather, NMFS must consider whether there are other natural or human sources of mortality other than shrimping that can be conclusively identified; strandings as a result of such sources will not be used in calculating whether the incidental take level for the shrimp fishery has been met or exceeded.

NMFS has established ITLs by identifying the weekly average number of sea turtle strandings documented in each NMFS statistical zone for the last 3 years, 1992-94, while special consideration was given for anomalous years. In Texas, Louisiana, and Georgia, where strandings were anomalously high in 1994, the years 1991-93 were used to determine historical levels. In addition, the 1993 strandings of over 100 small Kemp's ridleys in a small section of Louisiana have been excluded from the averages due to the anomalous nature of that event. The weekly average was computed as a 5-week running average (2 weeks before and after the week in question) to reflect seasonally fluctuating events such as fishery openings and closures and turtle migrations. The ITL for each zone was set at 2 times the weekly 3-year stranding average. For weeks and zones where the historical average is less than one, the ITL has been set at two strandings. Table 1 contains the ITLs for each week and statistical zone, except for Zones 1-3, 6-17, 21, and 24, because the ITL is 2 for all weeks in these zones (note: there is no Zone 22 or 23).

Stranding Notification Procedures

Sea Turtle stranding information is reported to the NMFS National Stranding Coordinator by the Sea Turtle Stranding and Salvage Network (STSSN). During 1995, STSSN State Coordinators submit weekly reports and contact the STSSN National Coordinator immediately if strandings approach or exceed historical averages. The STSSN National Coordinator will contact NMFS Southeast Regional Office, Protected Species Branch, and the NMFS National Sea Turtle Coordinator (NSTC) upon receipt and evaluation of information suggesting that strandings are elevated to near historical levels. The STSSN National Coordinator will be responsible for forwarding information

regarding the strandings to the NMFS Southeast Regional Office.

This early notification by STSSN State Coordinators will not necessarily initiate management actions, but will serve as notification that stranding levels are approaching levels that may require implementation of management measures in the ERP. Implementation of the ERP is defined below under A for interim special management areas and B for areas outside of the interim special management areas.

Public Notification Procedures

Summaries of stranding reports, enforcement activities and other activities implementing the requirements of the November 14, 1994 BO will continue to be forwarded regularly via fax to NMFS laboratories, port samplers and enforcement agents, Coast Guard Districts, state fishery agencies, STSSN State Coordinators, Sea Grant agents, and industry and environmental organizations. Additionally, any emergency rulemaking will be announced through press releases and will be broadcast on the NOAA Weather Radio, immediately upon filing of the regulation for public inspection at the Office of the Federal Register.

Emergency Response Plan (ERP) Procedures

A. Interim Special Management Areas

Data collected by the STSSN provide information regarding the species composition, nearshore distribution, and mortality of sea turtles. Stranding data illustrated by statistical zones identify two areas of historically high Kemp's ridley strandings including much of Texas and Louisiana, and the coast of Georgia and northeast Florida. Although few strandings have been reported in statistical zones of low STSSN effort in Louisiana, in-water research, including telemetry and mark/ recapture efforts, and historical data, have illustrated the importance of Louisiana waters (as well as those of Texas) as Kemp's ridley habitat.

Historical stranding levels indicate that NMFS can anticipate elevated Kemp's ridley strandings within these two areas. These areas therefore require elevated scrutiny and protection under this Plan to reduce the impacts of the shrimp fishery on Kemp's ridleys. The Northern Gulf Interim Special Management Area includes waters off Louisiana and Texas seaward of the COLREGS line within NMFS statistical zones from (and including) Zone 13 through Zone 20 out to 10 nautical miles (nm) (18.5 km). The Atlantic

Interim Special Management Area includes waters off Georgia and northeast Florida seaward of the COLREGS line within NMFS statistical Zones 30 and 31 out to 10 nm (18.5 km).

Through the section 7 consultation process, other activities within the special management areas are also being reviewed, including hopper dredging, oil and gas activities, permitted power boat races, military operations and federally managed fisheries. During 1995, observers will be deployed during these activities as needed.

Elevated Enforcement Within the Interim Special Management Areas

In 1995, from April 1 through November 30, members of a trained TED law enforcement team will coordinate with the Coast Guard, local NMFS and state enforcement agents to investigate compliance with TED regulations in the Interim Special Management Areas. Throughout this period, members of the TED law enforcement team (in addition to local NMFS enforcement personnel) will be deployed in the Interim Special Management Areas, including at least one in the Atlantic Interim Special Management area.

Implementation of Emergency Rules Within the Special Management Areas

Reports of elevated stranding levels, as described below, in any statistical zone within the Interim Special Management Areas may result in implementation of emergency rulemaking for the NMFS statistical zone of elevated strandings, and contiguous statistical zones or portions of contiguous statistical zones, as necessary. The precise geographic scope of the area requiring such measures will be defined in the rule. Within the Interim Special Management Areas, regulations restricting shrimping will be implemented when 75 percent or more of the weekly ITL is reached for 2 consecutive weeks, or when the Assistant Administrator for Fisheries, NOAA (AA), in consultation with the Director, Southeast Region, NMFS (Regional Director), the Southeast Enforcement Division Special Agent in Charge (SAC), the Southeast General Counsel Senior Enforcement Attorney (SEA) and the Protected Resources Office Director (OD), determines that other factors including noncompliance or high nearshore shrimping effort require additional management measures. Any restrictions necessary within the Interim Special Management Areas will result in emergency rulemaking pursuant to the regulations under 50 CFR 227.72(e)(6). Justification for the rulemaking will be included in