

Issues Identified for Discussion Under This Amendment

This action will consider measures that require changes to the NE multispecies FMP. Measures may be developed and adopted in a future action. The Council may consider several types of management measures, including, but not limited to:

- No action; no additional measures would be adopted;
- Establishing individual accumulation caps, or sector accumulation caps, on a stock-specific or fishery-wide level;
- Establishing limits or caps of fishing privileges limit measures fleet-wide or separately for inshore and offshore fleets;
- Establishing usage caps for vessels fishing on a NE multispecies permit;
- Other measures to promote diversity within the fleet; and,
- Establishing performance indicators relating to the two objectives identified for the amendment (in addition to or instead of limits or caps).

The Council may deviate from these examples and develop additional approaches, consistent with their description in the Magnuson-Stevens Act and National Standard Guidelines. The above issues under consideration are described in greater detail in the scoping document itself; copies may be obtained from the Council (see **ADDRESSES**) or via the Internet at <http://www.nefmc.org/>.

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

Dated: December 16, 2011.

Steven Thur,

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

[FR Doc. 2011-32694 Filed 12-20-11; 8:45 am]

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

RIN 0648-XA875

International Affairs; Identification of Nations Whose Fishing Vessels Are Engaged in Fishing in Waters Beyond Any National Jurisdiction That Target or Incidentally Catch Sharks

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

ACTION: Notice.

SUMMARY: On March 24, 2011, NMFS published a notice and requested information regarding nations whose

vessels are engaged in fishing in waters beyond any national jurisdiction that target or incidentally catch sharks.

However, upon further reflection and review of the statute, NMFS proposes to begin the process of making identifications by January 4, 2012, and publish the first identifications in the January 2013 Biennial Report to Congress, coincident with the next identification process under the IUU fishing and bycatch provisions of the Moratorium Protection Act.

DATES: Effective December 21, 2011.

FOR FURTHER INFORMATION CONTACT:

Cheri McCarty, NMFS Office of International Affairs. (301) 427-8369.

SUPPLEMENTARY INFORMATION:**Background**

The Shark Conservation Act of 2010 (S.850) amended the Moratorium Protection Act (16 U.S.C. 1826d-k) to require actions be taken by the United States to strengthen shark conservation. Specifically, these amendments to the Moratorium Protection Act require the Secretary of Commerce to identify: (1) Nations whose fishing vessels are engaged, or have been engaged during the preceding calendar year, in fishing activities or practices in waters beyond any national jurisdiction that target or incidentally catch sharks; and (2) nations that have not adopted a regulatory program to provide for the conservation of sharks, including measures to prohibit removal of any of the fins of a shark (including the tail) and discarding the carcass of the shark at sea, that is comparable to that of the United States, taking into account different conditions. The Secretary is required to begin making identifications not later than January 4, 2012.

NMFS solicited information from the public on activities of fishing vessels from foreign nations engaged in shark catch beyond any national jurisdiction on March 24, 2011 (76 FR 16616), and indicated that it anticipated making the first identifications under this statute by January 4, 2012. However, upon further reflection and review of the statute, NMFS proposes to begin the process of making identifications by January 4, 2012, and publish the first identifications in the January 2013 Biennial Report to Congress, coincident with the next identification process under the IUU fishing and bycatch provisions of the Moratorium Protection Act. This approach is consistent with the statute and will treat all identified nations equally. If identifications were made in January 2012, it would provide potentially-affected foreign nations only one year to become familiar with the

new shark provisions before identification decisions were made and only one year to take the necessary actions to receive a positive certification. NMFS has already started collecting and analyzing information that could help the agency determine which nations may have vessels engaging in fishing activities or practices on the high seas that target or incidentally catch sharks.

Dated: December 15, 2011.

Rebecca Lent,

Director, Office of International Affairs, National Marine Fisheries Service.

[FR Doc. 2011-32690 Filed 12-20-11; 8:45 am]

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

RIN 0648-XA880

Marine Mammals; Issuance of Permits

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

ACTION: Notice; issuance of permits.

SUMMARY: Notice is hereby given that individuals and institutions have been issued Letters of Confirmation for activities conducted under the General Authorization for Scientific Research on marine mammals. See **SUPPLEMENTARY INFORMATION** for a list of names and address of recipients.

ADDRESSES: The Letters of Confirmation and related documents are available for review upon written request or by appointment in the following office: Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 427-8401; fax (301) 713-0376.

FOR FURTHER INFORMATION CONTACT:

Office of Protected Resources, Permits Division, (301) 427-8401.

SUPPLEMENTARY INFORMATION: The requested Letters of Confirmation have been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the regulations governing the taking and importing of marine mammals (50 CFR part 216). The General Authorization allows for bona fide scientific research that may result only in taking by level B harassment of marine mammals. The following Letters of Confirmation (LOC) were issued in Fiscal Year 2011.

File No. 15683: Issued to Dr. David Mann, University of South Florida, St.

Petersburg, FL on October 15, 2010, authorizes visual and passive acoustic recordings, photo-identification, and behavioral observations of 22 cetacean species off the West Florida Shelf (including coastal waters to the continental shelf and slope, extending northwestward to the area near the Deepwater Horizon spill site). The purpose of the study is to build on a comprehensive, unique dataset that can be used as the basis for modeling cetacean distributions to determine how cetacean distributions vary between seasons, and if it is correlated with any physical or biological features. The LOC expires on October 31, 2015.

File No. 16103: Issued to Eric Montie, Ph.D., University of South Carolina Beaufort, Bluffton, SC on December 30, 2010, authorizes visual and passive acoustic recordings, photo-identification, and behavioral observations of bottlenose dolphins (*Tursiops truncatus*) in coastal waters surrounding Hilton Head Island, South Carolina, including the May River, Cooper River, Calibogue Sound, Colleton River, Okatie River, Chechessee River, Broad River, Port Royal Sound, adjoining creeks, and along the Atlantic Ocean side of Hilton Head Island, not extending more than one mile offshore. The objectives of the study are to: (1) Acoustically and visually determine distribution of dolphins and their prey, (2) determine the acoustic behavior of dolphins and their prey, and (3) determine the effect of anthropogenic noise on dolphin and prey distributions. The LOC expires on December 31, 2015.

File No. 16104: Issued to Dr. Robert Young, Coastal Carolina University, Conway, SC on December 30, 2010, authorizes visual surveys, photo-identification, and behavioral observations in the marsh, inland and coastal waters out to 10 miles offshore of South Carolina and North Carolina. Studies will be primarily focused on the North Inlet/Winyah Bay system near Georgetown, SC, coastal waters near Murrells Inlet, SC, Cape Romain near McClellanville, SC, the Bull Creek/May River system near Bluffton, SC and Little River Inlet, SC. The purpose of the study is to: (1) Continue an on-going dolphin ecology research program, which includes studies on bioenergetics and birth timing; and (2) continue photo-ID and transect survey effort to contribute to understanding of abundance, stock structure, and residency of bottlenose dolphins along the Southeast U.S. coast. The LOC expires on December 31, 2015.

File No. 16183: Issued to Daniela Maldini, Okeanis, Moss Landing, CA on

March 2, 2011, authorizes vessel surveys, photo-identification, and behavioral observations off the California coast with focuses in Monterey Bay, Morro Bay, Santa Barbara, Half-Moon Bay and San Francisco Bay within 1 km of the shoreline. The purposes of the study are to estimate the population size of bottlenose dolphins in Monterey Bay and compare the Monterey Bay photo-identification catalogue to the Southern California Bight catalogue to revise population estimates for the California coastal stock of bottlenose dolphins. The LOC expires on February 29, 2016.

File No. 16185: Issued to Dr. Andrew J. Read, Duke University, Beaufort, NC on March 30, 2011, authorizes visual and aerial surveys including photographic identification, behavioral observation and passive acoustic monitoring (PAM) with a towed array of 22 non-endangered cetacean species. Studies will focus on bottlenose dolphins, Atlantic spotted dolphins (*Stenella frontalis*) and pilot whales (*Globicephala spp.*), and be conducted in estuarine and coastal waters out to 100 nautical miles offshore of the North Carolina/Virginia border south to latitude 29 degrees N. Specific goals are to: (1) Continue with photo-ID and transect survey effort to contribute to understanding of occurrence, distribution, and ranging patterns of cetaceans along the Southeast U.S. coast, (2) investigate pilot whale interactions with longline gear, (3) conduct year-round line transect surveys in the Navy's Undersea Warfare Training Range off of North Carolina and northern Florida, (4) conduct PAM during vessel based surveys, and (5) coordinate with the stranding network to cross reference stranded animals with photo-identification catalogs. The LOC expires on April 1, 2016.

File No. 16232: Issued to GeoMarine, Inc., Plano, TX [Responsible Party: Jason Holt See; Principle Investigator: Amy Whitt] on April 7, 2011, authorizes visual surveys, close approach, photo-identification, and behavioral observations along the coast from New Jersey to North Carolina and extending from 19 to 36 nautical miles (NM) offshore. The purpose of the study is to provide baseline information on 31 non-endangered marine mammal species that would better inform offshore renewable energy developers, regulators, and other stakeholders of the distribution, abundance, behavior, and migration of marine species in nearshore waters of southern New Jersey, Delaware, Maryland, and Virginia, which is a region of significant potential offshore wind farm

development. The LOC expires on March 31, 2016.

File No. 16223: Issued to Frank Fish, Ph.D., Department of Biology, West Chester University, West Chester, PA on April 25, 2011, to videotape and observe harbor seals (*Phoca vitulina*) and grey seals (*Halichoerus grypus*) off Duck Island, ME. The purpose of the study is to photo-document terrestrial locomotion of phocid seals to assess potential habitats that can be used by seals if populations are to increase along the northeastern U.S. coast. The LOC expires on August 30, 2014.

File No. 16260: Issued on April 25, 2011 to William E Bemis, Ph.D., Kingsbury Director, Shoals Marine Laboratory, Portsmouth, NH for photo-identification and observations of harbor seals and gray seals at Duck Island, ME. The study objectives are to photo-document pinniped distribution and use of islands around the Isles of Shoals, as well as monitor the inter and intra-species interactions and behaviors critical to understanding the life history of these marine mammals throughout the entire Gulf of Maine for conservation, health and management. The LOC expires on June 30, 2015.

File No. 14903: This LOC, held by Lisa Sette, Provincetown Center for Coastal Studies, Provincetown, MA, was modified on April 27, 2011, to include additional sampling locations within Nantucket Sound. The objectives of the study are to provide information on the haul-out structure and possible distribution shifts of harbor and gray seals around New England. The LOC expires on March 1, 2015.

File No. 1094-1836: Issued to Peggy Stap, Marine Life Studies, Monterey, California on April 27, 2006 was extended on April 29, 2011. The purpose of the research is to study the foraging strategies of transient and offshore killer whales (*Orcinus orca*) and investigate the abundance, distribution, movement, and frequency of occurrence of other cetacean species in the Monterey Bay National Marine Sanctuary. The LOC was extended from April 30, 2011 to July 31, 2011.

File No. 16381: Issued on May 16, 2011 to Maddalena Bearzi, Ph.D., Ocean Conservation Society, Marina Del Rey, CA for photo-identification, observations, and harassment of marine mammals during vessel surveys in the coastal and offshore waters of Southern California. The study objectives are to continue the long-term study of inshore/offshore marine mammal ecology and investigations on the presence of skin diseases and physical deformities on coastal and offshore bottlenose

dolphins. The LOC expires on May 31, 2016.

File No. 15621: Issued on June 3, 2011 to Peggy Stap, Marine Life Studies, Monterey, CA for photo-identification, passive acoustic recordings, behavioral observations, underwater photography and video, and harassment of marine mammals during vessel surveys in the Monterey Bay National Marine Sanctuary. The objectives are to: (1) study the foraging strategies of killer whales (transient and offshore) within the sanctuary and (2) investigate the abundance, distribution, movement, and frequency of occurrence of cetaceans in the sanctuary, specifically the interaction of mixed species groups. In regards to killer whales, Ms. Stap plans to investigate: (1) Foraging vocalizations, (2) topographical influence on foraging strategies, and (3) idiosyncratic prey preferences of subgroups. The LOC expires on June 15, 2016.

File No. 16299: Issued to Ann Weaver, Ph.D., Argosy University, Sarasota, FL on June 3, 2011 authorizes vessel surveys, photo-identification and behavioral observations of bottlenose dolphins near John's Pass on the west coast of Florida. The objective is to complete a study begun in 2005 that is designed to examine the before, during, and after affects of bridge construction on the abundance, distribution, and behavior of dolphins. Construction was delayed, so Dr. Weaver has not yet collected data for the after phase of her project. The LOC expires on June 15, 2016.

File No. 13427: Issued to Gregory D. Kaufman, Pacific Whale Foundation, Wailuku, HI on July 26, 2011 authorizes an amendment to LOC No. 13427-02 to expand the survey area to include inshore waters (<100 fathoms) of Maui County, Hawaii and to include vessel surveys, photo identification, focal follows, and passive acoustic recording of spinner dolphins. The objective of the additional research is to gather information on the movement patterns and acoustic behavior of spinner dolphins (*Stenella longirostris*) in the waters of Maui County, Hawaii and will test for differences in the peak time of resting between locations and differences in patterns due to the presence and absence of boats. This amended GA LOC supercedes version 13427-02, issued on November 24, 2010. The LOC expires on June 15, 2013.

File No. 16522: Issued to Wendy Noke Durden, Hubbs-SeaWorld Research Institute, Melbourne Beach, FL on September 7, 2011 authorizes vessel surveys, aerial surveys, photo-

identification, and behavioral observations off the east coast of Florida from the northernmost limits of Flagler County to Jupiter Inlet, which includes the Intracoastal Waterway (ICW), Indian River Lagoon (IRL), and Halifax Rivers. The purposes of the study are to: (1) Continue monitoring IRL bottlenose dolphin abundance and distribution using line-transect aerial surveys, (2) examine dolphin abundance, distribution, residency, and habitat use of Halifax River animals, (3) determine group size and composition inhabiting the ICW, (4) document seasonal movement patterns, (5) simultaneously monitor the direct access point for influx/efflux (Ponce Inlet) of dolphins to/from the Atlantic ocean, and (6) evaluate dispersal in IRL dolphins. The LOC expires on September 30, 2016.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activities are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Dated: December 15, 2011.

P. Michael Payne,

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

[FR Doc. 2011-32689 Filed 12-20-11; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XA877

Takes of Marine Mammals Incidental to Specified Activities; St. George Reef Light Station Restoration and Maintenance at Northwest Seal Rock, Del Norte County, CA

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

ACTION: Notice; proposed incidental take authorization; request for comments.

SUMMARY: NMFS has received an application from the St. George Reef Lighthouse Preservation Society (SGRLPS), for an Incidental Harassment Authorization (IHA) to take marine mammals, by harassment incidental to conducting aircraft operations, lighthouse renovation, and light maintenance activities on the St. George Reef Light Station on Northwest Seal Rock (NWSR) in the northeast Pacific Ocean from the period of February

through April, 2012 and during the period of November through December, 2012. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an IHA to SGRLPS to incidentally harass, by Level B harassment only, four species of marine mammals during the specified activity.

DATES: Comments and information must be received no later than January 20, 2012.

ADDRESSES: Comments on the application should be addressed to P. Michael Payne, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910. The mailbox address for providing email comments is ITP.Cody@noaa.gov. NMFS is not responsible for email comments sent to addresses other than the one provided here. Comments sent via email, including all attachments, must not exceed a 10-megabyte file size.

Instructions: All comments received are a part of the public record and will generally be posted to <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

An electronic copy of the application containing a list of the references used in this document may be obtained by writing to the above address, telephoning the contact listed here (see **FOR FURTHER INFORMATION CONTACT**) or visiting the Internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications>. The following associated documents are also available at the same internet address: Environmental Assessment (EA) prepared by NMFS; and the finding of no significant impact (FONSI). Documents cited in this notice may be viewed, by appointment, during regular business hours, at the aforementioned address.

FOR FURTHER INFORMATION CONTACT: Jeannine Cody, NMFS, Office of Protected Resources, NMFS, (301) 713-2289 or Monica DeAngelis, NMFS Southwest Regional Office, (562) 980-3232.

SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(5)(D) of the MMPA (16 U.S.C. 1371(a)(5)(D)) directs the