

Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; receipt of exempted fishing permit (EFP) application; announcement of the intent to issue the EFP; request for comments.

SUMMARY: NMFS announces the receipt of applications, and the intent to issue EFPs for vessels participating in an observation program to monitor the incidental take of salmon and groundfish in the shore-based component of the Pacific whiting fishery. The EFPs are necessary to allow trawl vessels fishing for Pacific whiting to delay sorting their catch, and thus to retain prohibited species and groundfish in excess of cumulative trip limits, until the point of offloading. These activities are otherwise prohibited by Federal regulations.

DATES: Comments must be received by February 28, 2006. The EFPs will be effective no earlier than March 15, 2006, and would expire no later than May 31, 2007, but could be terminated earlier under terms and conditions of the EFPs and other applicable laws.

ADDRESSES: Send comments or requests for copies of the EFP applications to Becky Renko, Northwest Region, NMFS, 7600 Sand Point Way N.E., Bldg. 1, Seattle, WA 98115 0070 or e-mail 2006WhitingEFP.nwr@noaa.gov. Comments sent via email, including all attachments, must not exceed a 10 megabyte file size.

FOR FURTHER INFORMATION CONTACT: Becky Renko at (206)526 6110.

SUPPLEMENTARY INFORMATION: This action is authorized by the Magnuson-Stevens Fishery Conservation and Management Act provisions at 50 CFR 600.745, which state that EFPs may be used to authorize fishing activities that would otherwise be prohibited. At the November 2005 Pacific Fishery Management Council (Pacific Council) meeting in San Diego, California, the Pacific Council received applications for these EFPs from Del Mar Seafoods, Inc. and the States of Washington, Oregon, and California. An opportunity for public testimony was provided during the Pacific Council meeting. The Pacific Council recommended that NMFS issue the EFPs, as requested by Del Mar Seafoods Inc. and the States, and forwarded the EFP applications to NMFS. NMFS is working with Del Mar Seafoods, Inc., the States, and participants who will be fishing under the EFP to resolve funding, retention, and monitoring issues affecting this EFP.

Issuance of these EFPs, to about 40 vessels, will continue an ongoing

program to collect information on the incidental catch of salmon and groundfish in whiting harvests delivered to shore-based processing facilities by domestic trawl vessels. Because whiting flesh deteriorates rapidly once the fish are caught, whiting must be minimally handled and immediately chilled to maintain the flesh quality. As a result, many vessels dump catch directly or near directly into the hold and are unable to effectively sort their catch.

The issuance of EFPs will allow vessels to delay sorting of groundfish catch in excess of cumulative trip limits and prohibited species until offloading. These activities are otherwise prohibited by regulation. In 2004 and 2005, NMFS provided electronic monitoring systems to catcher vessels fishing under the whiting EFP as part of a pilot study to evaluate if these systems would be useful tools to verify retention and/or document discard at sea. Based on the results from the 2004 and 2005 pilot studies, electronic monitoring systems may be useful tools to monitor retention and discard at sea. NMFS will continue to evaluate the usefulness of electronic monitoring tools during the 2006 whiting EFP and once again intends to provide electronic monitoring systems to participating vessels.

Delaying sorting until offloading will allow samplers located at the processing facilities to collect incidental catch data for total catch estimates and will enable whiting quality to be maintained. Without an EFP, groundfish regulations at 50 CFR 660.306(a)(2) require vessels to sort their prohibited species catch and return them to sea as soon as practicable with minimum injury. Similarly, regulations at 50 CFR 660.306(a)(10) prohibit the retention of groundfish in excess of the published trip limits.

In addition to providing information that will be used to monitor the attainment of the shore-based whiting allocation, information gathered through these EFPs is expected to be used in a future rulemaking. In the near future, NMFS is considering implementing, through Federal regulation, a monitoring program for the shore-based Pacific whiting fleet. The Pacific Council recommended using EFPs only until a permanent monitoring program could be developed and implemented. NMFS is developing a preliminary draft Environmental Assessment that includes a range of alternative monitoring systems for the shore-based Pacific whiting fishery. At its June 2004 meeting, the Pacific Council considered a preliminary range of alternatives for a shore-based fishery monitoring program.

Based on information learned during the 2004 and 2005 EFPs, NMFS is revising that range of alternatives and is tentatively scheduled to present a revised range of alternatives to the Pacific Council at their April 2006 meeting. Provided the Pacific Council adopts the revised range of alternatives for public review in April, the Pacific Council is tentatively expected to make final recommendations to NMFS regarding this monitoring program at its June 2006 meeting. NMFS would then publish a proposed rule, which would include a public comment period, followed by a final rule implementing a monitoring program before the start of the 2007 shore-based primary Pacific whiting season.

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

Dated: February 7, 2006.

Alan D. Risenhoover,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 020206A]

Incidental Take of Marine Mammals; Taking of Marine Mammals Incidental to Missile Launch Operations from San Nicolas Island, CA

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

ACTION: Notice of issuance of a letter of authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act (MMPA), as amended, notification is hereby given that a letter of authorization (LOA) to take 3 species of marine mammals incidental to missile launch operations from San Nicolas Island, CA (SNI) has been issued to the Naval Air Warfare Center Weapons Division (NAWC-WD), Point Mugu, CA. **DATES:** This authorization is effective from February 3, 2006, through February 2, 2007.

ADDRESSES: The application and LOA are available for review in the Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Kenneth Hollingshead or Layne Bolen, NMFS, (301) 713-2289.

SUPPLEMENTARY INFORMATION: Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs NMFS to allow, on request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region, if certain findings are made by NMFS and regulations are issued. Under the MMPA, the term "taking" means to harass, hunt, capture, or kill or to attempt to harass, hunt, capture or kill marine mammals.

Authorization may be granted for periods up to 5 years if NMFS finds, after notification and opportunity for public comment, that the taking will have a negligible impact on the species or stock(s) of marine mammals and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses. In addition, NMFS must prescribe regulations that include permissible methods of taking and other means effecting the least practicable adverse impact on the species and its habitat and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating grounds, and areas of similar significance. The regulations must include requirements pertaining to the monitoring and reporting of such taking. Regulations governing the taking incidental to target missile operations on San Nicolas Island, CA, were published on September 2, 2003 (68 FR 52132), and remain in effect until October 2, 2008.

Pursuant to these regulations, NMFS has issued an LOA to the NAWC-WD. Issuance of the LOA is based on findings made in the preamble to the final rule that the total takings by this project will result in only small numbers (as the term is defined in 50 CFR 216.103) of marine mammals being taken. In addition, given the implementation of the mitigation requirements contained in the LOA, the resultant incidental harassment will have no more than a negligible impact on the affected marine mammal stocks or habitats and will not have an unmitigable adverse impact on the availability of such species or stock for taking for subsistence uses. NMFS also finds that the applicant will meet the requirements contained in the implementing regulations and LOA, including monitoring and reporting requirements. This LOA will be renewed annually based on a review of the activity, completion of monitoring requirements and receipt of reports required by the LOA.

Dated: February 3, 2006.

James H. Lecky,

*Director Office of Protected Resources,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 013006B]

International Whaling Commission; 58th Annual Meeting; Nominations

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

ACTION: Notice; request for nominations.

SUMMARY: This notice is a call for nominees for the U.S. Delegation to the June 2006 International Whaling Commission (IWC) annual meeting. The non-federal representative(s) selected as a result of this nomination process is(are) responsible for providing input and recommendations to the U.S. IWC Commissioner representing the positions of non-governmental organizations. Generally, only one non-governmental position is selected for the U.S. Delegation.

DATES: All written nominations for the U.S. Delegation to the IWC annual meeting must be received by March 6, 2006.

ADDRESSES: All nominations for the U.S. Delegation to the IWC annual meeting should be addressed to Bill Hogarth, U.S. Commissioner to the IWC, and sent via post to: Cheri McCarty, National Marine Fisheries Service, Office of International Affairs, 1315 East West Highway, SSMC3 Room 12603, Silver Spring, MD 20910. Prospective Congressional advisors to the delegation should contact the Department of State directly.

FOR FURTHER INFORMATION CONTACT: Cheri McCarty, 301-713-9090, ext. 183.

SUPPLEMENTARY INFORMATION: The Secretary of Commerce is charged with the responsibility of discharging the obligations of the United States under the International Convention for the Regulation of Whaling, 1946. The U.S. Commissioner has primary responsibility for the preparation and negotiation of U.S. positions on international issues concerning whaling and for all matters involving the IWC. He is staffed by the Department of Commerce and assisted by the Department of State, the Department of

the Interior, the Marine Mammal Commission, and by other agencies. The non-federal representative(s) selected as a result of this nomination process is(are) responsible for providing input and recommendations to the U.S. IWC Commissioner representing the positions of non-governmental organizations. Generally, only one non-governmental position is selected for the U.S. Delegation.

The IWC is hosting its 58th annual meeting from June 16-20, 2006, in St. Kitts & Nevis.

Dated: February 7, 2006.

William T. Hogarth,

*Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 020706B]

South Atlantic Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold a meeting of its Snapper Grouper Committee, Ecosystem-Based Management Committee, Scientific and Statistical Selection Committee (CLOSED SESSION), Advisory Panel Selection Committee (CLOSED SESSION), Protected Resources Committee, Joint Executive/Finance Committees, Information and Education Committee, and a meeting of the full Council.

DATES: The meeting will be held on February 27 through March 3, 2006. See **SUPPLEMENTARY INFORMATION** for specific dates and times.

ADDRESSES: The meeting will be held at the Jekyll Island Club, 371 Riverview Drive, Jekyll Island, GA 31527; telephone: (1-800) 535-9547 or (912) 635-2600, fax: (912) 635-2818.

Council address: South Atlantic Fishery Management Council, One Southpark Circle, Suite 306, Charleston, SC 29407-4699.

FOR FURTHER INFORMATION CONTACT: Kim Iverson, Public Information Officer; telephone: (843) 571-4366 or toll free at (866) SAFMC-10; fax: (843) 769-4520; email: kim.iverson@safmc.net.