

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 101106E]

Endangered and Threatened Species; Recovery Plan for the Hawaiian Monk Seal; Correction

AGENCY: National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notice of Availability; request for comments; correction.

SUMMARY: This notice corrects a November 28, 2006, **Federal Register** notice that announced the National Marine Fisheries Service's (NMFS) availability for public review of the draft revised Recovery Plan (Plan) for the Hawaiian monk seal (*Monachus schauinslandi*). That notice provided incorrect cost estimates over the duration of the Plan, and an incorrect numbering sequence regarding the contents of the Plan. NMFS is soliciting review and comment on the Plan from the public and all interested parties, and will consider and address all substantive comments received during the comment period.

DATES: Comments on the draft Plan must be received by close of business on January 29, 2007.

ADDRESSES: You may submit comments by either of the following methods:

- Mail: Send comments to Chris Yates, Assistant Regional Administrator, Protected Resources Division, Pacific Islands Regional Office, NMFS, Attn: Michelle Yuen, 1601 Kapiolani Blvd., Suite 1110, Honolulu, HI 96814.

- E-mail: hmsplan@noaa.gov. Include in the subject line the following document identifier: Hawaiian Monk Seal Recovery Plan. E-mail comments, with or without attachments, are limited to 5 megabytes.

Interested persons may obtain the Plan for review from the above address or on-line from the NMFS Pacific Islands Region Office website: <http://swr.nmfs.noaa.gov/pir/>.

FOR FURTHER INFORMATION CONTACT: Michelle Yuen (808-944-2243), e-mail: michelle.yuen@noaa.gov.

SUPPLEMENTARY INFORMATION:

Background

Recovery plans describe actions considered necessary for the conservation and recovery of species listed under the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*). The ESA requires that

recovery plans incorporate (1) objective, measurable criteria that, when met, would result in a determination that the species is no longer threatened or endangered; (2) site-specific management actions necessary to achieve the plan's goals; and (3) estimates of the time required and costs to implement recovery actions. The ESA requires the development of recovery plans for listed species unless such a plan would not promote the recovery of a particular species. NMFS's goal is to restore the endangered Hawaiian monk seal (*Monachus schauinslandi*) population to the point where they are again secure, self-sustaining members of their ecosystem and no longer need the protections of the ESA. NMFS will consider all substantive comments and information presented during the public comment period in the course of finalizing this Recovery Plan.

The Hawaiian monk seal has the distinction of being the only endangered marine mammal species whose entire range, historical and current, lies within the United States of America. The majority of the population of Hawaiian monk seals now occupies the northwestern Hawaiian Islands (NWHI) with six main breeding sub-populations. The species is also found in lower numbers in the main Hawaiian Islands (MHI), where the population size and range both appear to be expanding. The Hawaiian monk seal was listed as a threatened species under the ESA on November 23, 1976 (41 FR 51612). On April 30, 1986 (51 FR 16047), critical habitat was designated at all beach areas, lagoon waters, and ocean waters out to a depth of 10 fathoms around Kure Atoll, Midway, Pearl and Hermes Reef, Lisianski Island, Laysan Island, Gardner Pinnacles, French Frigate Shoals, Necker Island and Nihoa Island; critical habitat was extended to include Maro Reef and waters around all habitat out to the 20-fathom isobath on May 26, 1988. The best estimate of the total population size in 2005 is 1,252 seals.

This current revised plan was written by the Hawaiian Monk Seal Recovery Team at the request of the Assistant Administrator for Fisheries to promote the conservation of the Hawaiian monk seal. The recovery team includes experts on marine mammals from the private sector, academia, and government, as well as experts on endangered species conservation. The goals and objectives of the Plan can be achieved only if a long-term commitment is made to support the actions recommended in the Plan.

The correct numbering sequence to what the Recovery Plan contains is: (1) a comprehensive review of the

Hawaiian monk seal population distribution, life history, and habitat use, (2) a threats assessment, (3) conservation efforts, (4) biological and recovery criteria for downlisting and delisting, (5) actions necessary for the recovery of the species, and (6) an implementation schedule with estimates of time and cost to recovery.

The threats assessment finds four levels of threats: (1) Crucial (ongoing and apparent threat at most sites in the NWHI), (2) Significant (ongoing impacts representing the potential for range-wide threats), (3) Serious (potential cause of localized threats), and (4) Moderate (localized impacts possible but not considered a serious or immediate threat). The Crucial threats to Hawaiian monk seals are: food limitation, entanglement, and shark predation. The Significant threats to Hawaiian monk seals are: infectious disease and habitat loss. The Serious threats are: fishery interaction, male aggression, human interaction, and biotoxin. Finally, the Moderate threats to Hawaiian monk seals are: vessel groundings and contaminants.

Criteria for the reclassification of the Hawaiian monk seal are included in the Plan. In summary, Hawaiian monk seals may be reclassified from endangered to threatened when all of the following have been met: (1) aggregate numbers exceed 2,900 total individuals in the NWHI; (2) at least 5 of the 6 main sub-population in the NWHI are above 100 individuals, and the MHI population is above 500; (3) the survivorship of females in each subpopulation in the NWHI and in the MHI is high enough that, in conjunction with the birth rates in each subpopulation, the calculated population growth rate for each subpopulation is not negative. The population will be considered for a delisting if it continues to qualify for "threatened" classification for 20 consecutive years without new serious risk factors being identified.

Time and cost for recovery actions are contained in the Plan. The correct estimated cost of the recovery program is \$52,266,000 for the first 5 fiscal years, and the correct estimated cost for full recovery is \$432,016,000, assuming the best case scenario that the population could grow to the stipulated total population size in the NWHI within 12 years, and that the stipulated numbers in the MHI could be reached within 34 years.

In accordance with the 2003 Peer Review Policy as stated in Appendix R of the Interim Endangered and Threatened Species Recovery Planning Guidance, NMFS solicited peer review on the draft Plan concurrent with this

public comment period. Reviews were requested from three scientists and managers with expertise in recovery planning, statistical analyses, fisheries, and marine mammals. NMFS anticipates that many of the recommendations that will be made by the reviewers will be addressed and provided in detail in the final Plan.

Dated: December 1, 2006.

Angela Somma,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E6-20712 Filed 12-6-06; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 110306B]

Small Coastal Shark 2007 Stock Assessment Data Workshop

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

ACTION: Notice.

SUMMARY: NMFS announces the date, time, and location for the small coastal shark (SCS) stock assessment Data Workshop, the first of three stock evaluation workshops for the SCS stock assessment to be conducted in 2007. Any potential changes to existing management measures for SCS will be based, in large part, on the results of this 2007 stock assessment. The workshop is open to the public.

DATES: The Data Workshop will start at 1 p.m. on Monday, February 5, 2007, and will conclude at 1 p.m. on Friday, February 9, 2007.

ADDRESSES: The Data Workshop will be held at the Bay Point Marriott Resort, 4200 Marriott Drive, Panama City Beach, FL 32408.

FOR FURTHER INFORMATION CONTACT: Julie Neer at (850) 234-6541; or Karyl Brewster-Geisz at (301) 713-2347, fax (301) 713-1917.

SUPPLEMENTARY INFORMATION: The Atlantic shark fisheries are managed under the authority of the Magnuson-Stevens Fishery Conservation and Management Act. The Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP) (October 2, 2006; 71 FR 58058) is implemented by regulations at 50 CFR part 635.

Stock assessments are periodically conducted to determine stock status relative to current management criteria.

Collection of the best available scientific data and conducting stock assessments are critical to determine appropriate management measures for rebuilding stocks. Based on the last SCS stock assessment in 2002, NMFS determined that the SCS complex and three of the species in that complex are not overfished with no overfishing occurring. The only exception was for finetooth sharks, where fishing mortality in some years was above the mortality level associated with producing maximum sustainable yield (MSY). Any potential changes to existing management measures for SCS will be based, in large part, on the results of this 2007 stock assessment.

This assessment will be conducted in a manner similar to the Southeast Data, Assessment, and Review (SEDAR) process. SEDAR is a cooperative process initiated in 2002 to improve the quality and reliability of fishery stock assessments in the South Atlantic, Gulf of Mexico, and U.S. Caribbean. SEDAR emphasizes constituent and stakeholder participation in assessment development, transparency in the assessment process, and a rigorous and independent scientific review of completed stock assessments. SEDAR is organized around three workshops. The first is a Data Workshop where datasets are documented, analyzed, and reviewed, and data for conducting assessment analyses are compiled. The second workshop is an Assessment Workshop where quantitative population analyses are developed and refined and population parameters are estimated. The third and final workshop is a Review Workshop where a panel of independent experts review the data and assessment and recommend the most appropriate values of critical population and management quantities. All workshops are open to the public. More information on the SEDAR process can be found at [HTTP://WWW.SEFSC.NOAA.GOV/SEDAR/](http://WWW.SEFSC.NOAA.GOV/SEDAR/). The 2005/2006 large coastal shark stock assessment also followed this process.

NMFS announces the Data Workshop, the first of three workshops for the SCS 2007 stock assessment. The Data Workshop will be held from February 5 - 9, 2007, at the Bay Point Marriott Resort in Panama City Beach, FL (see **DATES** and **ADDRESSES**). Prospective participants and observers will be contacted with the data workshop details. This workshop is open to the public. Persons interested in participating or observing the Data Workshop should contact Julie Neer (see **FOR FURTHER INFORMATION CONTACT**). Tentative dates for the next two workshops are May 7 - 11, 2007, for the

Assessment Workshop and August 6 - 10, 2007, for the Review Workshop. The times and locations of these workshops will be announced in a future **Federal Register** notice.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Julie Neer at (850) 234-6541, at least 7 days prior to the Data workshop.

Authority: 16 U.S.C. 971 *et seq.*

Dated: November 29, 2006.

Alan D. Risenhoover,

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

[FR Doc. E6-20723 Filed 12-6-06; 8:45 am]

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FEDERAL ELECTION COMMISSION

Sunshine Act Notices

Cancellation of previously announced meetings: Wednesday, December 5, 2006, meeting closed to the public and Thursday, December 7, 2006, meeting open to the public.

DATE AND TIME: Tuesday, December 12, 2006 at 10 a.m.

PLACE: 999 E Street, NW., Washington, DC.

STATUS: This meeting will be closed to the public.

ITEMS TO BE DISCUSSED: Compliance matters pursuant to 2 U.S.C. 437g. Audits conducted pursuant to 2 U.S.C. 437g, 438(b), and title 26, U.S.C. Matters concerning participation in civil actions or proceedings or arbitration. Internal personnel rules and procedures or matters affecting a particular employee.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Biersack, Press Officer, Telephone: (202) 694-1220.

Mary W. Dove,

Secretary of the Commission.

[FR Doc. 06-9614 Filed 12-5-06; 8:45 am]

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FEDERAL MARITIME COMMISSION

[Docket No. 06-11]

R.O. White & Company and Ceres Marine Terminals Inc. V. Port of Miami Terminal Operating Company, Continental Stevedoring & Terminals, Inc. et al.; Notice of Filing of Complaint and Assignment

Notice is given that a complaint has been filed with the Federal Maritime