

region per year; permitting harvest only from tracts designated through contract by WDNR; clearly marking tracts with easily identifiable stakes and/or buoys, and recording latitude and longitude positions on all markers; limiting surface noise levels; applying harvest boundaries and buffers to protect eelgrass beds, forage fish spawning areas and other sensitive nearshore habitats and providing direct oversight of the fishery by maintaining compliance staff aboard vessels on harvest tracts each day that commercial geoduck harvest occurs.

Approval of the HCP may qualify as a "low-effect" plan as defined by the Habitat Conservation Planning Handbook (NMFS and USFWS, November, 1996). Determination of low effect HCPs is based upon the plan having: minor or negligible effects on federally-listed, proposed, or candidate species and their habitats; minor or negligible effects on other environmental values or resources; and, impacts that considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects would not result, over time, in cumulative effects to the environmental values or resources which would be considered significant. If the plan is found to qualify as a low-effect HCP, further NEPA documentation beyond a categorical exclusion review would not be required by NMFS.

#### Request for Comments

If you wish to comment on the permit application or the proposed HCP, you may submit your comments to the address listed in the ADDRESSES section of this document. NMFS requests that comments be specific. In particular, we request information regarding: direct, indirect, and cumulative impacts that implementation of the proposed HCP or other alternatives could have on endangered and threatened and other covered species, and their communities and habitats; potential adaptive management and/or monitoring provisions; funding issues; existing environmental conditions in the plan area; other plans or projects that might be relevant to this proposed project; permit duration; maximum acreage that should be covered; specific species that should or should not be covered; and minimization and mitigation efforts. We will evaluate this permit application, associated documents, and comments submitted thereon to determine whether the permit application meets the requirements of section 10(a) of the ESA and NEPA regulations.

Individual respondents may request that we withhold their home address

from the record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. Anonymous comments will not be considered. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, are available for public inspection in their entirety.

If we determine that the requirements are met, we will issue an incidental take permit under section 10(a)(1)(B) of the ESA to the Applicant for take of the proposed covered species, incidental to otherwise lawful activities in accordance with the terms of the permit. We will not make our final decision until after the end of the 30-day comment period and will fully consider all comments received during the comment period.

NMFS provides this notice pursuant to section 10(c) of the ESA and pursuant to implementing regulations for NEPA (40 CFR 1506.6).

Dated: September 11, 2007.

**Angela Somma,**

*Chief, Endangered Species Division, National Marine Fisheries Service.*

[FR Doc. E7-18305 Filed 9-14-07; 8:45 am]

**BILLING CODE 3510-22-S**

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

**RIN 0648-XC58**

##### Marine Mammals; File No. 1039-1916

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that Ann Zoidis, Cetos Research Organization, 11 Des Isle Avenue, Bar Harbor, Maine, has applied in due form for a permit to conduct research on marine mammals in Hawaii and the Gulf of Maine.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before October 17, 2007.

**ADDRESSES:** The application and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)427-2521;

Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Rm 1110, Honolulu, HI 96814-4700; phone (808)973-2935; fax (808)973-2941; and

Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978)281-9300; fax (978)281-9394.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301)427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing e-mail comments is [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: File No. 1039-1916.

**FOR FURTHER INFORMATION CONTACT:** Jaclyn Daly or Carrie Hubard, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

The applicant is requesting to study 17 species of cetaceans in Hawaii and 10 species in the Gulf of Maine. The purpose of the research is to expand ESA and non-ESA listed species abundance, distribution, and acoustic data. More specifically, this research would provide information on diving and foraging behavior of cetaceans while acoustic studies would contribute to data investigating the relationship between repertoire, pod composition, and behavior. Research activities would include vessel surveys, photo-ID, passive acoustic recording, and

behavioral observations for all species. Furthermore, suction-cup tagging of humpback (*Megaptera novaeangliae*), fin (*Balaenoptera physalus*), minke (*Balaenoptera borealis*), and sperm (*Physeter macrocephalus*) whales would also occur. Tagging of sei, minke, and sperm whales would be limited to adults and subadults while all age classes, except neonates, of humpback and fin whales would be tagged. Underwater videography of humpback whales in Hawaii is also requested. No mortality is anticipated. The permit would be valid for 5 years from date of issuance.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: September 11, 2007.

**P. Michael Payne,**

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

[FR Doc. E7-18295 Filed 9-14-07; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN: 0648-XC64**

#### New England 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 New England Fishery Management Council (Council) is scheduling a public meeting of its Scallop Advisory Panels and its Scallop Committee, in October, 2007, to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from these groups will be brought to the full Council for formal consideration and action, if appropriate.

**DATES:** These meetings will be held on Wednesday, October 10, 2007, at 9 a.m. and Thursday, October 11, 2007, at 9 a.m.

**ADDRESSES:** These meetings will be held at the Holiday Inn, One Newbury Street, Peabody, MA 01960; telephone: (978) 535-4600; fax: (978) 535-8238.

*Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Howard, Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

**SUPPLEMENTARY INFORMATION:**

**Wednesday, October 10, 2007; Scallop General Category and Advisory Panels Meeting.**

The Scallop Advisory Panels will review and recommend preferred alternatives for Framework 19 to the Scallop Fishery Management Plan. Framework 19 is a biennial action that will set management measures for fishing years 2008 and 2009.

**Thursday, October 11, 2007; Scallop Committee Meeting.**

The Committee will review and recommend preferred alternatives for Framework 19 to the Scallop Fishery Management Plan. The Committee will also review and approve research priorities for the 2008-2009 Scallop Research Set-Aside Program. The Committee may consider other topics at their discretion.

Although non-emergency issues not contained in this agenda may come before these groups for discussion, those issues may not be the subject of formal action during these meetings. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

**Special Accommodations**

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard, Executive Director, at (978) 465-0492, at least 5 days prior to the meeting date.

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

Dated: September 12, 2007.

**Emily Menashes,**

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

[FR Doc. E7-18225 Filed 9-14-07; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XC62**

#### New England Fishery Management Council; Public Meeting

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

**ACTION:** Notice of a public meeting.

**SUMMARY:** The New England Fishery Management Council (Council) is scheduling a public meeting of its Monkfish Oversight Committee, in October, 2007, to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

**DATES:** This meeting will be held on Wednesday, October 3, 2007, at 9:30 a.m.

**ADDRESSES:** This meeting will be held at the Hilton Garden Inn, One Thuber Street, Warwick, RI 02886; telephone: (401) 734-9600; fax: (401) 734-9700.

*Council address:* New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Howard, Executive Director, New England Fishery Management Council; telephone: (978) 465-0492.

**SUPPLEMENTARY INFORMATION:** The Committee will identify alternatives to be developed for consideration in Framework Adjustment 5 possibly including, but not limited to, changes to the biological reference points (as recommended by the recent stock assessment workshop), days-at-sea (DAS) carryover limits, minimum mesh requirements for vessels fishing on a monkfish/multispecies DAS, monkfish landings under the 3-hour gillnet rule, frontloading of monkfish DAS, Mid-Atlantic area large mesh monkfish incidental catch limits, monkfish gillnet rules for vessels fishing as a multispecies trip gillnet vessel and the requirement to obtain a monkfish Letter of Authorization to fish in the northern management area. The final list of issues to be addressed depends on the decisions of the New England Fishery Management Council at its September meeting.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will