

Amendment 4 to the FMP from 6 p.m. until 7:30 p.m.

On Wednesday, June 11, the Scientific and Statistical and Research Set-Aside Committees will meet jointly from 8 a.m. until 12 p.m. The Council will convene at 1 p.m. until 3 p.m. to conduct its Business Session and receive Organizational, Liaison, Executive Director and Status of Fishery Management Plan reports. From 3 p.m. until 5:30 p.m. the Council will develop and adopt specifications regarding the 2009 fishing year for Squid, Mackerel, and Butterfish.

On Thursday, June 12, the Executive Committee will meet from 8 a.m. until 9 a.m. The Bycatch/LAPP Committee will meet from 9 a.m. until 10 a.m. The Joint Spiny Dogfish Committee will meet from 10 a.m. until 11:30 a.m. The Council will convene at 12:30 p.m. to adopt any changes to the Surfclam and Ocean Quahog specifications for 2009 and 2010 fishing years; receive a presentation regarding the integration of National Environmental Policy Act requirements into the Magnuson-Stevens Act; receive Committee reports; and, conduct continuing and new business.

Agenda items by day for the Council's Committees and the Council itself are:

**MONDAY, JUNE 9** - the Squid, Mackerel, and Butterfish Committee with Advisors will address Amendment 11 (mackerel limited entry system) and Annual Catch Limits (ACL) and Accountability Measures (AM). The Demersal Committee will review measures to be included in Amendment 15 and address accommodation of ACL/AM. There will be an evening public hearing regarding Amendment 10 to the Squid, Mackerel, and Butterfish Fishery Management Plan (FMP).

**TUESDAY, JUNE 10** - The Squid, Mackerel, and Butterfish Committee with Advisors will meet to review the Monitoring Committee's recommendations and Science and Statistical Committee advice for 2009 quota levels and associated management measures and then develop 2009 quota specifications and associated management measures for Council consideration and action. The Law Enforcement Committee will discuss issues regarding the enforceability of slot limits in the recreational sector, review the USCG's Proposed Rule on Vessel Safety/Stability, and discuss issues regarding the enforceability of possession limits for multiple day trips. The Surfclam, Ocean Quahog and Tilefish Committee with Advisors will review staff recommendations for changes to the 2009-10 quota specifications and associated

management measures for surfclams and ocean quahogs, and discuss issues to be addressed in Amendment 14 including accommodation of ACL/AM. A tour of a local clam boat and associated dock facility will then be provided.

Beginning at 6 p.m. the New England Fishery Management Council will conduct a scoping meeting for development of Amendment 4 to the Herring Fishery Management Plan. Amendment 4 will focus on issues related to catch monitoring (landings and discards); Magnuson-Stevens Reauthorization Act requirements such as Annual Catch Limits and Accountability Measures; and, sector allocations and/or other Limited Access Privilege Programs. The Council is seeking comments on the scope of issues to be addressed in Amendment 4 and the kinds of management measures that should be considered.

**WEDNESDAY, JUNE 11** - the Scientific and Statistical Committee will meet with the Research Set-Aside Committee to establish multi-year research priorities for the 2009-13 time period, and review and discuss outcomes from the Special Science and Statistical Committee Working Group meeting. The Council will then convene to receive various reports, and review, develop, and adopt the Squid, Mackerel, and Butterfish Committee's recommendations regarding quota specifications and associated management measures for the 2009 fishing year.

**THURSDAY, JUNE 12** - the Executive Committee will review highlights of the Coordinating Council meeting and revise the Council's Statement of Organization Practices and Procedures (SOPP) relative to "deeming" requirements. The Bycatch/LAPP Committee will review the first draft of the Council's bycatch pamphlet concerning catch and release practices, and discuss Standardized Bycatch Reporting Methodology Observer Coverage Priorities for 2008. The Joint Spiny Dogfish Committee will review proposed measures in Framework 2 to the Spiny Dogfish FMP. The Council will convene to review and adopt the Surfclam and Ocean Quahog Committee's recommendations for necessary changes to 2009 and 2010 quota specifications and associated management measures (years 2 and 3 of the existing 2008-10 multi-year quota specifications). The Council will then receive a presentation by a National Marine Fisheries Service Official regarding the Agency's Proposed Rule to Integrate National Environmental Policy Act (NEPA) requirements into Magnuson-Stevens Act (MSA). The

Council will then receive Committee Reports, and consider any continuing or new business.

Although non-emergency issues not contained in this agenda may come before the Council for discussion, these issues may not be the subject of formal Council action during these meetings. Council 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 such emergencies.

### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aid should be directed to M. Jan Bryan, (302) 674-2331, ext 18 at least 5 days prior to the meeting date.

Dated: May 19, 2008.

**Emily Menashes,**

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

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**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN: 0648-XI09**

### Pacific 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 Pacific Fishery Management Council (Council) and its advisory entities will hold public meetings.

**DATES:** The Council and its advisory entities will meet June 6-13, 2008. The Council meeting will begin on Sunday, June 8, at 8 a.m., reconvening each day through Friday, June 13. All meetings are open to the public, except a closed session will be held from 8 a.m. to 9 a.m. on Sunday, June 8 to address litigation and personnel matters. The Council will meet as late as necessary each day to complete its scheduled business.

**ADDRESSES:** The meetings will be held at the Crowne Plaza Hotel, 1221 Chess

Drive, Foster City, CA 94404; telephone: (650) 570-5700.

*Council address:* Pacific Fishery Management Council, 7700 NE Ambassador Place, Suite 101, Portland, OR 97220.

**FOR FURTHER INFORMATION CONTACT:** Dr. Donald O. McIsaac, Executive Director; telephone: (503) 820-2280.

**SUPPLEMENTARY INFORMATION:** The following items are on the Council agenda, but not necessarily in this order:

- A. Call to Order
  - 1. Opening Remarks and Introductions
  - 2. Roll Call
  - 3. Executive Director's Report
  - 4. Approve Agenda
- B. Open Public Comment
- Comments on Non-Agenda Items
- C. Administrative Matters
  - 1. Future Council Meeting Agenda and Workload Planning
  - 2. Magnuson-Stevens Act Reauthorization Implementation

- 3. Update and Communication of Research and Data Needs
- 4. Fiscal Matters
- 5. Membership Appointments and Council Operating Procedures
- D. Highly Migratory Species Management
  - 1. Changes to Routine Management Measures for 2009-10 Seasons
  - 2. Council Recommendations to Regional Fishery Management Organizations

- E. Salmon Management
  - 1. Klamath River Fall Chinook Overfishing Concern
- F. Groundfish Management
  - 1. NMFS Report
  - 2. Stock Assessment Planning for 2011-12 Groundfish Fishery Decision Making
  - 3. Preliminary Review of Exempted Fishing Permits for 2009
  - 4. Tentative Adoption of 2009-10 Groundfish Harvest Specifications, Management Measures, and Rebuilding Plan Revisions

- 5. Consideration of Inseason Adjustments
- 6. Amendment 20: Trawl Rationalization Alternatives
- 7. Council Clarification of Tentatively Adopted 2009-10 Groundfish Harvest Specifications, Management Measures, and Rebuilding Plan Revisions (if Needed)
- 8. Final Consideration of Inseason Adjustments (if Needed)
- 9. Final Adoption of 2009-10 Groundfish Harvest Specifications, Management Measures, and Rebuilding Plan Revisions
- G. Coastal Pelagic Species Management
  - 1. Pacific Mackerel Stock Management for 2007-08
- H. Habitat
  - Current Habitat Issues
- I. Marine Protected Areas
  - Review of Rationale for Marine Protected Areas in the Monterey Bay National Marine Sanctuary

#### SCHEDULE OF ANCILLARY MEETINGS

**Friday, June 6, 2008**

Groundfish Management Team

**Saturday, June 7, 2008**

Groundfish Management Team

Scientific and Statistical Committee

Budget Committee

**Sunday, June 8, 2008**

Council Secretariat

Groundfish Advisory Subpanel

Groundfish Management Team

Scientific and Statistical Committee

Enforcement Consultants

**Monday, June 9, 2008**

Council Secretariat

California State Delegation

Oregon State Delegation

Washington State Delegation

Enforcement Consultants

Groundfish Advisory Subpanel

Groundfish Management Team

Scientific and Statistical Committee

Habitat Committee

**Tuesday, June 10, 2008**

Council Secretariat

California State Delegation

Oregon State Delegation

Washington State Delegation

Enforcement Consultants

Groundfish Advisory Subpanel

Groundfish Management Team

**Wednesday, June 11, 2008**

Council Secretariat

California State Delegation

Oregon State Delegation

Washington State Delegation

Enforcement Consultants

Groundfish Advisory Subpanel

Groundfish Management Team

**Thursday, June 12, 2008**

Council Secretariat

California State Delegation

Oregon State Delegation

Washington State Delegation

Groundfish Advisory Subpanel

Groundfish Management Team

1 p.m..

8 a.m..

1 p.m..

2 p.m..

7 a.m..

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## SCHEDULE OF ANCILLARY MEETINGS—Continued

Enforcement Consultants  
**Friday, June 13, 2008**  
 Council Secretariat  
 California State Delegation  
 Oregon State Delegation  
 Washington State Delegation  
 Groundfish Advisory Subpanel  
 Groundfish Management Team  
 Enforcement Consultants

As necessary.

7 a.m..

7 a.m..

7 a.m..

7 a.m..

8 a.m..

8 a.m..

As necessary.

Although non-emergency issues not contained in this agenda may come before this Council for discussion, those issues may not be the subject of formal Council action during this meeting. Council 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 Fishery Conservation and Management 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 Ms. Carolyn Porter at (503) 820-2280 at least 5 days prior to the meeting date.

Dated: May 19, 2008.

**Emily Menashes,**

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

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

RIN 0648-XG64

**Small Takes of Marine Mammals Incidental to Specified Activities; Low-Energy Marine Seismic Survey in the Northeast Pacific Ocean, June–July 2008**

**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 University of Texas, Institute of Geophysics (UTIG) for an Incidental Harassment Authorization

(IHA) to take marine mammals incidental to conducting a low-energy marine seismic survey in the Northeast Pacific Ocean during June–July, 2008. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an IHA to UTIG to incidentally take, by Level B harassment only, several species of marine mammals during the aforementioned activity.

**DATES:** Comments and information must be received no later than June 23, 2008.

**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 20910-3225. The mailbox address for providing email comments is [PR1.0648XB70@noaa.gov](mailto:PR1.0648XB70@noaa.gov). NMFS is not responsible for e-mail comments sent to addresses other than the one provided here. Comments sent via e-mail, including all attachments, must not exceed a 10-megabyte file size.

A copy of the application containing a list of the references used in this document may be obtained by writing to the address specified above, telephoning the contact listed below (see **FOR FURTHER INFORMATION CONTACT**), or visiting the internet at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications>.

Documents cited in this notice may be viewed, by appointment, during regular business hours, at the aforementioned address.

**FOR FURTHER INFORMATION CONTACT:** Howard Goldstein or Ken Hollingshead, Office of Protected Resources, NMFS, (301) 713-2289.

**SUPPLEMENTARY INFORMATION:****Background**

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce to allow, upon request, the incidental, but not intentional, taking 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 and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

Authorization shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring, and reporting of such takings are set forth. NMFS has defined “negligible impact” in 50 CFR 216.103 as “...an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.”

Section 101(a)(5)(D) of the MMPA established an expedited process by which citizens of the U.S. can apply for an authorization to incidentally take small numbers of marine mammals by harassment. Except with respect to certain activities not pertinent here, the MMPA defines “harassment” as:

any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the wild [Level A harassment]; or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering [Level B harassment].

Section 101(a)(5)(D) establishes a 45-day time limit for NMFS review of an application followed by a 30-day public notice and comment period on any proposed authorizations for the incidental harassment of marine mammals. Within 45 days of the close of the comment period, NMFS must either approve or deny the authorization.

**Summary of Request**

On March 4, 2008, NMFS received an application from UTIG for the taking, by Level B harassment only, of several