

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 Scallop Advisory Panel, in August, 2008, 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, August 20, 2008, at 8:30 a.m.

**ADDRESSES:** This meeting will be held at the Radisson Airport Hotel, 2081 Post Road, Warwick, RI 02886; telephone: (401) 739-3000; fax: (401) 732-9309.

*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 review public scoping comments on Amendment 15 and provide initial input on a range of alternatives developed by the Scallop Committee to date. The scoping issues included: implementation of annual catch limits (ACLs); measures to rationalize the limited access scallop fishery; revision of the overfishing definition; modifications to specific aspects of the general category limited entry program implemented by Amendment 11; measures to address essential fish habitat (EFH) closed areas in the Scallop Fishery Management Plan (FMP) if the EFH Omnibus Amendment is delayed; alternatives to improve the research set-aside program; and modifying the start date of the scallop fishing year. Other issues may also be discussed based on input from scoping hearings and a previous Scallop Committee meeting on July 8, 2008. The committee will also review Scallop Plan Development Team (PDT) discussion of Section 7 Endangered Species Act Consultation for the Scallop FMP (Biological Opinion). Overall, the biological opinion concluded that the scallop fishery may adversely affect, but is not likely to jeopardize, continued existence of four sea turtle species. Thus, NMFS is required to identify and implement reasonable and prudent measures (RPMs) necessary to minimize impacts of any incidental take. The Advisors may review PDT recommendations for how best to comply with these measures and

provide input for the Scallop Committee to consider. The committee may discuss other topics at their discretion.

Although non-emergency issues not contained in this agenda may come before this group for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during this meeting. Actions will be restricted to those issues specifically identified 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

This meeting is 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: July 29, 2008.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. E8-17735 Filed 8-1-08; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XJ48**

#### Marine Mammals; File No. 605-1904

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

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

**SUMMARY:** Notice is hereby given that the Whale Center of New England (WCNE) (Mason Weinrich, Principal Investigator), P.O. Box 159, Gloucester, MA 01930, has requested an amendment to scientific research Permit No. 605-1904.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before September 3, 2008.

**ADDRESSES:** The amendment request and related documents are available for review upon written request or by appointment in the following offices:

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;

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

Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, Florida 33701; phone (727)824-5312; fax (727)824-5309.

Written comments or requests for a public hearing on this request should be submitted 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 amendment 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. 605-1904-01.

#### FOR FURTHER INFORMATION CONTACT:

Amy Hapeman or Kristy Beard, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** The subject amendment to Permit No. 605-1904, issued on February 21, 2008 (73 FR 10744) is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (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 (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).

Permit No. 605-1904 authorizes the permit holder to harass humpback (*Megaptera novaengliae*), fin (*Balaenoptera physalus*), and sei (*Balaenoptera borealis*) whales along the U.S. Atlantic coast during close approaches for vessel surveys, photo-identification, tracking, and incidental harassment annually. During approaches, researchers may suction-cup tag and/or biopsy sample whales greater than six months of age. A subset of approached humpback and fin whale

calves three to six months of age may also be biopsy sampled. The original application submitted by the WCNE included a request to conduct research on North Atlantic right whales (*Eubalaena glacialis*). At the time of permit issuance, takes for right whales were not authorized. NMFS is now reviewing the right whale portion of the request as an amendment to Permit No. 605-1904. The WCNE requests authorization to harass up to 75 North Atlantic right whales annually during close vessel approaches for photo-identification, behavioral observation, and prey sampling. This work would continue long-term population monitoring to determine status and trends of this species in the North Atlantic. The amendment would be valid until the permit expires on February 15, 2013.

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: July 29, 2008.

**P. Michael Payne,**

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

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**BILLING CODE 3510-22-S**

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## DEPARTMENT OF ENERGY

[OE Docket No. PP-334]

### Notice of Intent To Prepare an Environmental Assessment and To Conduct Public Scoping Meetings; Baja Wind U.S. Transmission, LLC

**AGENCY:** Office of Electricity Delivery and Energy Reliability, DOE.

**ACTION:** Notice of Intent To Prepare an Environmental Assessment (EA) and To Conduct Public Scoping Meetings.

**SUMMARY:** The Department of Energy (DOE) will prepare an EA and hold public scoping meetings on the proposed Federal action of granting a Presidential permit to Baja Wind U.S. Transmission, LLC (Baja Wind) to construct a new electric transmission line at the U.S.-Mexico border in San Diego County, California, near the community of Jacumba. The proposed international transmission line would originate at a wind generation facility to be located in northern Baja California, Mexico, cross the U.S.-Mexico international border, and extend one mile into the U.S. where it would terminate at a substation to be

constructed by San Diego Gas & Electric Company (SDG&E) adjacent to the existing Southwest Powerlink (SWPL) 500-kV transmission line, located in San Diego County, California. Baja Wind has applied to DOE's Office of Electricity Delivery and Energy Reliability (OE) for a Presidential permit to construct either a double-circuit 230-kilovolt (kV) or a single-circuit 500-kV electric transmission line across the U.S. border with Mexico.

The EA, entitled *Baja Wind U.S. Transmission Environmental Assessment* (DOE/EA-399) will address potential environmental impacts from the proposed action and the range of reasonable alternatives. The EA will be prepared in compliance with the National Environmental Policy Act of 1969 (NEPA) and applicable regulations, including Council on Environmental Quality NEPA Implementing Regulations (40 CFR parts 1500-1508) and DOE NEPA implementing regulations at 10 CFR Part 1021. It will help DOE determine whether to prepare an EIS. Given that the proposed transmission line is short, and that the imports into the U.S. appear to be small, DOE believes an EA is appropriate.

DOE invites the public to participate in determining the scope of the EA by suggesting alternatives and pointing out potential environmental impacts. If at any time during preparation of the EA DOE determines that an environmental impact statement (EIS) is needed, DOE will issue a Notice of Intent to prepare an EIS in the **Federal Register**. In that case, this scoping process will serve as the scoping process that normally would follow a Notice of Intent to prepare an EIS. Accordingly, DOE will consider any comments on the scope of the EA received during this scoping process in preparing such an EIS.

**DATES:** DOE invites interested agencies, organizations, Native American tribes, and members of the public to submit comments or suggestions to assist in identifying any potentially significant environmental issues and in determining the scope of the EA. The public scoping period starts with the publication of this Notice in the **Federal Register** and will continue until September 3, 2008. DOE will consider all comments received or postmarked by September 3, 2008 in defining the scope of the EA. Comments received or postmarked after that date will be considered to the extent practicable.

Public scoping meetings will be held on August 26, 2008, from 1 p.m. to 3 p.m., and again from 5 p.m. to 7 p.m., at the Jacumba Highland Center, 44681 Old Highway 80, Jacumba, California.

**ADDRESSES:** Written comments or suggestions on the scope of the EA should be addressed to: Mrs. Ellen Russell, Office of Electricity Delivery and Energy Reliability (OE-20), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0350; phone 202-586-9624, facsimile at 202-586-8008, or electronic mail at [Ellen.Russell@hq.doe.gov](mailto:Ellen.Russell@hq.doe.gov).

**FOR FURTHER INFORMATION:** For further information on the proposed project, on the Presidential permit process, or to receive a copy of the pre-approval EA when it is issued for state and public review, contact Ellen Russell at the address listed in the **ADDRESSES** section of this notice. The Baja Wind Presidential permit application, including associated maps and drawings, can be downloaded in its entirety from the OE program Web site <http://www.oe.energy.gov/permits.htm>.

For general information on the DOE NEPA process, please contact: Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance (GC-20), U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-0103; phone 202-586-4600, leave a message at 800-472-2756, or facsimile to 202-586-7031.

**SUPPLEMENTARY INFORMATION:** Executive Order (EO) 10485, as amended by EO 12038, requires that a Presidential permit be issued by DOE before electric transmission facilities may be constructed, operated, maintained, or connected at the U.S. international border. The EO provides that a Presidential permit may be issued after a finding that the proposed project is consistent with the public interest and after favorable recommendations from the U.S. Departments of State and Defense. In determining consistency with the public interest, DOE considers the environmental impacts of the proposed project under NEPA, determines the project's impact on electric reliability (including whether the proposed project would adversely affect the operation of the U.S. electric power supply system under normal and contingency conditions), and considers any other factors that DOE may find relevant to the public interest. The regulations implementing the EO have been codified at 10 CFR 205.320-205.329. DOE's issuance of a Presidential permit indicates that there is no Federal objection to the project, but does not mandate that the project be undertaken.