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**FOR FURTHER INFORMATION CONTACT:**

Susan Gerhart, telephone: 727-824-5305 or e-mail: [Susan.Gerhart@noaa.gov](mailto:Susan.Gerhart@noaa.gov).

**SUPPLEMENTARY INFORMATION:** On August 27, 2009, an Endangered Species Act (ESA) biological opinion was completed that evaluated the impacts of the continued authorization of the trap component of the spiny lobster commercial sector on ESA-listed species. The opinion prescribed non-discretionary reasonable and prudent measures (RPMs) to help minimize the impacts of takes to ESA-listed species by the trap component of the spiny lobster commercial sector. Specific terms and conditions required to implement the prescribed RPMs included creating new or expanding existing closed areas to protect coral and implementing lobster trap line-marking requirements. A September 2, 2011, memo revised the 5-year phase-in period for the line-marking requirement to 5 years from implementation of the planned final rule or no later than August 6, 2017. The Councils are considering alternatives to meet these requirements.

Actions and alternatives to address these measures were included in Amendment 10 to the Spiny Lobster FMP. However, the Councils felt more time was needed to work with stakeholders in developing management measures. NMFS, in collaboration with the Councils, will develop a SEIS for Amendment 11 to describe and analyze alternatives to address the management needs described above. The alternatives will include a "no action" alternative regarding each action.

In accordance with NOAA's Administrative Order 216-6, Section 5.02(c), Scoping Process, NMFS, in collaboration with the Councils, has identified preliminary environmental issues as a means to initiate discussion

for scoping purposes only. These preliminary issues may not represent the full range of issues that eventually will be evaluated in the SEIS.

Copies of an information packet will be available from NMFS (see **ADDRESSES**).

After the draft SEIS associated with Amendment 11 is completed, it will be filed with the Environmental Protection Agency (EPA). After filing, the EPA will publish a notice of availability of the draft SEIS for public comment in the **Federal Register**. The draft SEIS will have a 45-day public comment period. This procedure is pursuant to regulations issued by the Council on Environmental Quality (CEQ) for implementing the procedural provisions of the National Environmental Policy Act (NEPA; 40 CFR parts 1500-1508) and to NOAA's Administrative Order 216-6 regarding NOAA's compliance with NEPA and the CEQ regulations.

NMFS will consider public comments received on the draft SEIS in developing the final SEIS and before adopting final management measures for the amendment. NMFS will submit both the final amendment and the supporting SEIS to the Secretary of Commerce (Secretary) for review as required by the Magnuson-Stevens Fishery Conservation and Management Act.

NMFS will announce, through a notification in the **Federal Register**, the availability of the final amendment for public review during the Department of Commerce Secretarial review period. During Secretarial review, NMFS will also file the final SEIS with the EPA and the EPA will publish a notice of availability for the final SEIS in the **Federal Register**. This public comment period is expected to be concurrent with the Secretarial review period and will end prior to final agency action to approve, disapprove, or partially approve the amendment.

NMFS will announce, through a document published in the **Federal Register**, all public comment periods on the final amendment, its proposed implementing regulations, and the availability of its associated final SEIS. NMFS will consider all public comments received during the Secretarial review period, whether they are on the final amendment, the proposed regulations, or the final SEIS, prior to final agency action.

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

Dated: September 13, 2011.

**Steven Thur,**

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

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN: 0648-XA708**

**Fisheries of the South Atlantic and Gulf of Mexico; 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 (SAFMC) will hold meetings of its Scientific and Statistical Committee (SSC) and Socio-Economic Sub-Panel (SEP) to review fishery management plan (FMP) amendments under development, ABC control rule approaches, stock assessments of black sea bass and golden tilefish, planning for future assessments of Spanish mackerel and cobia, and the National SSC workshop. The meetings will be held in Charleston, SC. See **SUPPLEMENTARY INFORMATION**.

**DATES:** The meetings will be held November 7-10, 2011. See **SUPPLEMENTARY INFORMATION** for specific dates and times.

**ADDRESSES:** The meetings will be held at the Hampton Inn, 678 Citadel Haven Drive, Charleston, SC 29414; telephone: (843) 573-1200.

**FOR FURTHER INFORMATION CONTACT:** Kim Iverson, Public Information Officer, 4055 Faber Place Drive, Suite 201, North Charleston, SC 29405; (843) 571-4366; e-mail: [Kim.Iverson@safmc.net](mailto:Kim.Iverson@safmc.net).

**SUPPLEMENTARY INFORMATION:** Under the Magnuson-Stevens Reauthorized Act, the SSC is the body responsible for reviewing the Council's scientific materials. The SEP sub-pane reviews social and economic information and reports its findings to the SSC. The SEP will discuss FMP amendments that are under development and the role of social and economic sciences in the Council process. The SSC will discuss FMP amendments under development, assessments of black sea bass and tilefish, review advancements in ABC control rule development, review planning information for assessments of Spanish mackerel and cobia to be developed in 2013, and discuss the findings of the National SSC workshop.

**SEP Meeting Schedule**

November 7, 2011, 1 p.m.-5 p.m.

**SSC Meeting Schedule**

November 8, 2011, 9 a.m.-6 p.m.

November 9, 2011, 9 a.m.–6 p.m.  
November 10, 2011, 9 a.m.–3 p.m.

### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) at least 3 business days prior to the meeting.

Dated: September 14, 2011.

**Tracey L. Thompson,**

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

[FR Doc. 2011-23928 Filed 9-16-11; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XA584

#### Takes of Marine Mammals Incidental to Specified Activities; Marine Geophysical Survey in the Central Pacific Ocean, November, 2011 Through January, 2012

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

**ACTION:** Notice; proposed incidental harassment authorization; request for comments.

**SUMMARY:** NMFS has received an application from Lamont-Doherty Earth Observatory (L-DEO), a part of Columbia University, for an Incidental Harassment Authorization (IHA) to take marine mammals, by harassment, incidental to conducting a marine geophysical survey in the central Pacific Ocean, November through December, 2011. Pursuant to the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to issue an IHA to L-DEO to incidentally harass, by Level B harassment only, 20 species of marine mammals during the specified activity.

**DATES:** Comments and information must be received no later than October 19, 2011.

**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 e-mail comments is [ITP.Cody@noaa.gov](mailto:ITP.Cody@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.

All comments received are a part of the public record and will generally be posted to <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#applications> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

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

The following associated documents are also available at the same Internet address: The National Science Foundation's (NSF) draft Environmental Analysis (Analysis) Pursuant to Executive Order 12114. The Analysis incorporates an "Environmental Assessment of a Marine Geophysical Survey by the R/V *Marcus G. Langseth* in the Central Pacific Ocean, November–December 2011," prepared by LGL Limited, on behalf of NSF. Documents cited in this notice may be viewed, by appointment, during regular business hours, at the aforementioned address.

**FOR FURTHER INFORMATION CONTACT:** Jeannine Cody, Office of Protected Resources, NMFS, (301) 427-8401.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 101(a)(5)(D) of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*) directs the Secretary of Commerce to authorize, upon request, the incidental, but not intentional, taking of small numbers of marine mammals of a species or population stock, by United States citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

Authorization for the incidental taking of small numbers of marine mammals shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), and will not have an unmitigable adverse impact on the

availability of the species or stock(s) for subsistence uses (where relevant). The authorization must set forth the permissible methods of taking, other means of effecting the least practicable adverse impact on the species or stock and its habitat, and requirements pertaining to the mitigation, monitoring and reporting of such takings. 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 United States can apply for an authorization to incidentally take small numbers of marine mammals by harassment. Section 101(a)(5)(D) of the MMPA 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 small numbers of marine mammals. Within 45 days of the close of the public comment period, NMFS must either issue or deny the authorization. NMFS must publish a notice in the **Federal Register** within 30 days of its determination to issue or deny the authorization.

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].

#### Summary of Request

NMFS received an application on June 17, 2011, from L-DEO for the taking by harassment, of marine mammals, incidental to conducting a marine geophysical survey in the central tropical Pacific Ocean in international waters. L-DEO, with research funding from the U.S. National Science Foundation (NSF), plans to conduct the proposed survey from November 26, 2011, through December 29, 2011. Upon receipt of additional information, NMFS determined the application complete and adequate on August 26, 2011.

L-DEO plans to use one source vessel, the R/V *Marcus G. Langseth* (*Langseth*) and a seismic airgun array to image the structure of the oceanic lithosphere (*i.e.*,