

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

RIN 0648–XC159

**Fisheries of the Northeast Region**

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

**ACTION:** Notification of determination of overfishing and approaching an overfished condition as well as inadequate progress in rebuilding.

**SUMMARY:** This action serves as a notice that NMFS, on behalf of the Secretary of Commerce (Secretary), has determined that the Gulf of Maine (GOM) stock of haddock is subject to overfishing and is approaching an overfished condition. In addition, the rebuilding plans for American plaice and the Southern New England/Mid-Atlantic (SNE/MA) stock of winter flounder were found to have not resulted in adequate progress toward rebuilding the affected fish stocks.

NMFS notifies the appropriate fishery management council (Council) whenever it determines that overfishing is occurring, a stock is in an overfished condition, a stock is approaching an overfished condition, or when a rebuilding plan has not resulted in adequate progress toward ending overfishing and rebuilding affected fish stocks.

**FOR FURTHER INFORMATION CONTACT:** Mark Nelson, (301) 427–8565.

**SUPPLEMENTARY INFORMATION:** Pursuant to sections 304(e)(2) and (e)(7) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1854(e)(2) and (e)(7), and implementing regulations at 50 CFR 600.310(e)(2), NMFS, on behalf of the Secretary, must notify Councils whenever it determines that a stock or stock complex is: overfished; approaching an overfished condition; or an existing rebuilding plan has not ended overfishing or resulted in adequate rebuilding progress. NMFS also notifies Councils when it determines a stock or stock complex is subject to overfishing. Section 304(e)(2) further requires NMFS to publish these notices in the **Federal Register**.

On May 30, 2012, NMFS informed the New England Fishery Management Council of the latest status of the New England groundfish stocks. In that letter they indicate changes in the status of several stocks:

- GOM haddock is now subject to overfishing and is approaching an overfished condition;
- The rebuilding plan for American plaice has not resulted in adequate progress toward rebuilding. The stock is neither overfished nor subject to overfishing;
- The SNE/MA stock of winter flounder is no longer subject to overfishing but remains overfished and the stock's rebuilding plan has not resulted in adequate progress toward rebuilding the stock.

For the above stocks approaching an overfished condition, the Council must prevent overfishing and if the stock becomes overfished, steps must be taken under MSA § 304(e)(3) and (4) to end overfishing and to rebuild the stock. For the above stocks which are subject to rebuilding plans that have been determined to have not resulted in adequate progress towards rebuilding, within 2 years, the Council must revise the rebuilding plan for each stock and implement the revised plan, as required by MSA § 304(e)(3).

Dated: October 11, 2012.

**Emily Menashes,**

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

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**BILLING CODE 3510–22–P**

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

RIN 0648–XC100

**Marine Mammals; File No. 17115**

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

**ACTION:** Notice; issuance of permit.

**SUMMARY:** Notice is hereby given that a permit has been issued to James Lloyd-Smith, Department of Ecology and Evolutionary Biology, University of California, Los Angeles, 610 Charles E. Young Dr. South, Box 723905, Los Angeles, California 90095–7239 to conduct research on California sea lions (*Zalophus californianus*).

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

Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)427–8401; fax (301)713–0376; and

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802–4213; phone (562)980–4001; fax (562)980–4018.

**FOR FURTHER INFORMATION CONTACT:** Amy Sloan or Joselyd Garcia-Reyes, (301)427–8401.

**SUPPLEMENTARY INFORMATION:** On July 12, 2012, notice was published in the **Federal Register** (77 FR 41171) that a request for a permit to conduct research on the species identified above had been submitted by the above-named applicant. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

The permit holder is authorized to study the prevalence of leptospirosis in wild California sea lions. Up to 5,100 California sea lions may be taken annually from Año Nuevo Island including 20 by capture and release, 80 by capture/sample/release and 5,000 by incidental disturbance. Procedures include: capture (stalking, hoop net); restraint (board, cage, hand, net); anesthesia (gas); mark (flipper tag); measure; and sample (blood, urine, vibrissae). Up to 3,000 northern elephant seals (*Mirounga angustirostris*) and up to 60 Pacific harbor seals (*Phoca vitulina*) may be taken annually due to incidental disturbance. Up to four California sea lions may die incidental to the permitted activities. The permit expires September 30, 2017.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Dated: October 10, 2012.

**P. Michael Payne,**

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

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**DEPARTMENT OF DEFENSE****Office of the Secretary**

[Docket ID DoD–2012–OS–0098]

**Proposed Collection; Comment Request**

**AGENCY:** Defense Finance and Accounting Service, DoD.