

On September 24, 2007, NMFS published in the **Federal Register** (72 FR 54219), the final rule to implement the industry fee system for repaying the non-pollock groundfish program's reduction loan and established October 24, 2007, as the effective date when fee collection and loan repayment began. The regulations implementing the program are located at § 600.1012 of 50 CFR part 600's subpart M.

NMFS published, in the **Federal Register** on November 2, 2009 (74 FR 56592), a notice to decrease the A Loan fee rate to \$0.016 per pound effective January 1, 2010. On November 12, 2010, NMFS published a notice (75 FR 69401) to decrease the fee rate to \$0.015 per pound, effective January 1, 2011. NMFS published a notice on November 30, 2011 (76 FR 74048) to further decrease the fee rate once more to \$0.0145 per pound effective January 1, 2012.

NMFS published a final rule to implement a second \$2,700,000 reduction loan (B loan) for this fishery in the **Federal Register** on September 24, 2012 (77 FR 58775). The loan was disbursed December 18, 2012 with fee collection of \$0.001 per pound to begin January 1, 2013. This fee is in addition to the A Loan fee.

II. Purpose

The purpose of this notice is to adjust the fee rate for the reduction fishery in accordance with the framework rule's § 600.1013(b). Section 600.1013(b) directs NMFS to recalculate the fee to a rate that will be reasonably necessary to ensure reduction loan repayment within the specified 30 year term.

NMFS has determined for the reduction fishery that the current fee rate of \$0.0145 per pound is more than is needed to service the A loan. Therefore, NMFS is decreasing the fee rate to \$0.0111 per pound which NMFS has determined is sufficient to ensure timely loan repayment. The fee rate for the B loan will remain \$0.001 per pound.

Subsector members may continue to use *Pay.gov* to disburse collected fee deposits at: <http://www.pay.gov/paygov/>.

Please visit the NMFS Web site for additional information at: http://www.nmfs.noaa.gov/mb/financial_services/buyback.htm.

III. Notice

The new fee rate for the non-pollock Groundfish fishery is effective January 1, 2013.

From and after this date, all subsector members paying fees on the non-pollock groundfish fishery shall begin paying non-pollock groundfish fishery program

fees at the revised rate. Any overpayments of landings made using the previous higher fee rate will be credited to future landings.

Fee collection and submission shall follow previously established methods in § 600.1013 of the framework rule and in the final fee rule published in the **Federal Register** on September 24, 2007 (72 FR 54219).

Authority: The authority for this action is Public Law 108-447, 16 U.S.C. 1861a (b-e), and 50 CFR 600.1000 *et seq.*

Dated: February 7, 2013.

Gary Reisner,

Director, Office of Management and Budget, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XC398

Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Approved Monitoring Service Providers

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

ACTION: Notice, approved monitoring service providers.

SUMMARY: NMFS has approved four companies to provide dockside and/or at-sea monitoring services to Northeast (NE) multispecies vessels in fishing year (FY) 2013. Regulations implementing Amendment 16 to the NE Multispecies Fishery Management Plan (Amendment 16) require third-party monitoring service providers to apply to, and be approved by, NMFS in a manner consistent with the Administrative Procedure Act in order to be eligible to provide dockside and/or at-sea monitoring services to sectors.

ADDRESSES: Copies of the list of NMFS-approved sector monitoring service providers are available at <http://www.nero.noaa.gov/sfd/sfdmultisector.html> or by sending a written request to:

- Fax: (978) 281-9135, Attn: Mark Grant.
- Mail: 55 Great Republic Drive, Gloucester, MA 01930, Attn: Mark Grant.

For service provider contact information, see the **SUPPLEMENTARY INFORMATION** section of this notice.

FOR FURTHER INFORMATION CONTACT: Mark Grant, Sector Policy Analyst, (978) 281-9145, fax (978) 281-9135, email Mark.Grant@NOAA.gov.

SUPPLEMENTARY INFORMATION:

Amendment 16 expanded the sector management program, including adding a requirement to ensure accurate monitoring of both sector at-sea catch and dockside landings, and common pool dockside landings (75 FR 18262; April 9, 2010). Framework Adjustment 45 to the FMP (Framework 45, 76 FR 23042, April 25, 2011) revised several dockside monitoring requirements.

Standards for Approving Sectors

Regulations at 50 CFR 648.87(b)(4) describe the criteria for NMFS approval of interested at-sea and dockside service providers. Once approved, providers must document having met performance requirements in order to maintain eligibility (§ 648.87(b)(4)(ii)). NMFS can disapprove any previously approved service provider during the FY if the service provider in question ceases to meet the performance standards. NMFS must notify service providers of disapproval in writing.

NMFS first approved service providers for FY 2010, based upon the completeness of their application addressing the regulatory requirements (§ 648.87(b)(4)(i)), and a determination of the applicant's ability to perform the duties and responsibilities of a monitoring service provider. In FY 2011, NMFS approved service providers based on completeness of applications, determination of ability, and performance during FY 2010. NMFS did not approve any providers for FY 2012 because there was no dockside monitoring requirement and at-sea monitoring was provided solely by NMFS.

NMFS is approving service providers for FY 2013 (beginning May 1, 2013) based on: (1) Completeness of applications; (2) determination of the applicant's ability to perform the duties and responsibilities of a sector monitoring service provider; and (3) performance as NMFS-funded providers in FY 2012.

NE multispecies sectors are required to design and implement independent, third-party at-sea monitoring in FY 2013, and are responsible for the costs of these monitoring requirements, unless otherwise instructed by NMFS. The regulations currently require the NE multispecies fishery to hire and pay for dockside monitoring in FY 2013. In December 2012, the New England Fishery Management Council approved measures to modify the at-sea

monitoring program and eliminate the requirement for dockside monitoring for both sector and common pool vessels. As this measure has not yet been approved, and a sector may elect to retain dockside monitoring through its operations plan, NMFS is also approving dockside monitoring service providers.

Approved Monitoring Service Providers

NMFS received complete applications from three service providers intending to provide dockside and/or at-sea monitoring services, and one service provider intending to provide only at-sea monitoring services. All four applicants were previously approved

and provided dockside and/or at-sea monitoring services to sectors. The Regional Administrator has approved the following service providers as eligible to provide dockside monitoring and/or at-sea monitoring services in FY 2013:

TABLE 1—APPROVED FY 2013 PROVIDERS

Provider name	At-Sea monitoring	Dockside monitoring	Address	Phone	Fax	Web site
A.I.S., Inc	X	X	89 North Water Street, New Bedford, MA 02747.	(508) 990–9054	(508) 990–9055	www.aisobservers.com
MRAG Americas.	X	X	65 Eastern Ave., Unit B2C, Essex, MA 01929.	(978) 768–3880	(978) 768–3878	www.mragamericas.com
Atlantic Catch Data Ltd..	X	X	99 Wyse Road, Suite 815, Dartmouth, Nova Scotia, CANADA B3A 4S5.	(902) 422–4745	(902) 422–9780	www.atlanticcatchdata.ca
East West Technical Services, LLC.	X	34 Batterson Drive, New Britain, CT 06053.	(860) 223–5165	(860) 223–6005	www.ewts.com

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

Dated: February 8, 2013.

Kara Meckley,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XC238

Takes of Marine Mammals Incidental to Specified Activities; Marine Geophysical Survey on the Mid-Atlantic Ridge in the Atlantic Ocean, April 2013, Through June 2013

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

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

SUMMARY: We have received an application from the Lamont-Doherty Earth Observatory (Observatory), in collaboration with the National Science Foundation (Foundation), for an Incidental Harassment Authorization to take marine mammals, by harassment, incidental to conducting a marine geophysical (seismic) survey on the Mid-Atlantic Ridge in the north Atlantic Ocean in international waters, from April 2013 through May 2013. Per the Marine Mammal Protection Act, we are

requesting comments on our proposal to issue an Incidental Harassment Authorization to the Observatory and the Foundation to incidentally harass by Level B harassment only, 28 species of marine mammals during the 20-day seismic survey.

DATES: Comments and information must be received no later than March 15, 2013.

ADDRESSES: Comments on the application should be addressed to P. Michael Payne, Chief, Permits and Conservation 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 ITP.Cody@noaa.gov. Please include 0648–XC238 in the subject line. We are not responsible for email comments sent to other addresses other than the one provided here. Comments sent via email to ITP.Cody@noaa.gov, including all attachments, must not exceed a 10-megabyte file size.

All submitted comments are a part of the public record and we will post 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.

To obtain an electronic copy of the application, write to the previously mentioned address, telephone the

contact listed here (see **FOR FURTHER INFORMATION CONTACT**), or visit 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 Foundation's draft environmental analysis titled, "Marine geophysical survey by the R/V MARCUS G. LANGSETH on the mid-Atlantic Ridge, April–May 2013," for their federal action of funding the Observatory's seismic survey. LGL Ltd., Environmental Research Associates (LGL), prepared this analysis on behalf of the Foundation pursuant to Executive Order 12114: Environmental Effects Abroad of Major Federal Actions. The Foundation's environmental analysis evaluates the effects of the proposed seismic survey on the human environment including impacts to marine mammals. We will prepare a separate National Environmental Policy Act (NEPA: 42 U.S.C. 4321 *et seq.*) analysis to evaluate the environmental effects related to the scope of our federal action which is the proposed issuance of an incidental take authorization to the Observatory and the Foundation. We plan to incorporate the Foundation's environmental analysis, in whole or part, by reference, into our NEPA document as that analysis provides a detailed description of the planned survey and its anticipated effects on marine mammals. This notice and the referenced document present detailed information on the scope of our federal action under NEPA (i.e., potential impacts to marine mammals from